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No. 34] NEW DELHI, AUGUST 17—AUGUST 23, 2008, SATURDAY/SRAVANA 26—BHADRA 1, 1930

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि और न्याय मंत्रालय
(विधि कार्य विभाग)

नई दिल्ली, 13 अगस्त, 2008

का.आ. 2310— केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्रीमती अरुणा कामथ पई, और श्री मिर्जा राशिद बेग, अधिवक्ताओं को, बम्बई उच्च न्यायालय में भारत संघ या केन्द्रीय सरकार के किसी विभाग या कार्यालय द्वारा या उसके विरुद्ध सभी दंडिक मामलों का, जिनके अंतर्गत दंडिक रिट याचिकाएं, दंडिक अपीलें, दंडिक पुनरीक्षण, दंडिक निर्देश और आपराधिक आवेदन भी हैं, संचालन करने के प्रयोजन के लिए इस शर्त के अधीन रहते हुए कि श्रीमती अरुणा कामथ पई और श्री मिर्जा राशिद बेग, अधिवक्ता एक वर्ष की विस्तारित अवधि के दौरान भारत संघ या केन्द्रीय सरकार के किसी विभाग या कार्यालय के विरुद्ध ऊपर निर्दिष्ट किसी आपराधिक मामले में बम्बई उच्च न्यायालय में उपसंज्ञात नहीं होंगे, 29 जुलाई, 2008 से एक वर्ष की और अवधि के लिए या अगले आदेश होने तक, इनमें से जो भी पूर्वतर हो, अपर लोक अभियोजक के रूप में नियुक्ति की अवधि को विस्तारित करती है।

[फा. सं. 23(2)/2008—न्यायिक]

एम. ए. खान युसुफी, संयुक्त सचिव और विधि सलाहकार

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 13th August, 2008

S.O. 2310.—In exercise of the powers conferred by sub-section (1) of Section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby extends the term of appointment of Mrs. Aruna Kamath Pai and Shri Mirza Rashid Baig, Advocates as Additional Public Prosecutor, for the purpose of conducting all criminal cases including criminal writ petitions, criminal appeals, criminal revisions, criminal references and criminal applications by or against the Union of India or any Department or Office of the Central Government, in the High Court of Judicature at Mumbai, with effect from 29th July, 2008, for a further period of one-year or until further orders, whichever is earlier, subject to the condition that Mrs. Aruna Kamath Pai and Shri Mirza Rashid Baig, Advocates shall not appear against the Union of India or any Department or Office of the Central Government in any criminal case referred to above in the High Court of Judicature at Mumbai during the extended period of one year.

[F. No. 23(2)/2008-Judl.]

A.A. KHA USUFI, Jt. Secy. & Legal Adviser

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

नई दिल्ली, 30 मई, 2008

का.आ. 2311—सूचना का अधिकार अधिनियम, 2005 की धारा 5(1) के अनुसरण में, वित्त मंत्रालय, आर्थिक कार्य विभाग के निम्नलिखित अधिकारियों को उनके नामों के आगे उल्लिखित प्रभागों के संबंध में केन्द्रीय जन सूचना अधिकारी के रूप में नामित किया जाता है:—

| क्रम सं. | नाम | पदनाम | निम्नलिखित से संबंधित मामले |
|----------|----------------------------|---------------------------------|-----------------------------|
| (i) | श्री वी. रामकुमार | अवर सचिव (प्रशा. I तथा II) | प्रशासन/स्थापना |
| (ii) | श्री सुबोध कुमार घिल्डियाल | अवर सचिव (प्रशा. IV) | समन्वयन तथा प्रोटोकॉल |
| (iii) | श्रीमती अरुण प्रभा | अवर सचिव (पीएमयू तथा प्रशिक्षण) | द्विपक्षीय ऋण |
| (iv) | श्री एम. ए. खान | अवर सचिव (बजट) | बजट प्रभाग |
| (v) | श्री अशोक कुमार | डिप्टी सीएए एण्ड ए | सीएए एण्ड ए |
| (vi) | श्री ए. के. सिन्हा | अवर सचिव (आर ई) | पूँजी बाजार प्रभाग |
| (vii) | श्री सुमंत्र पाल | सहायक सलाहकार | आर्थिक प्रभाग |
| (viii) | श्री मूलचन्द | अवर सचिव (एफ टी) | विदेश व्यापार/एफआईपीबी |
| (ix) | श्री रोहित माथुर | अवर सचिव (एफ बी) | फंड बैंक प्रभाग |
| (x) | श्री एस.एस. सोनी | अवर सचिव (आईईएस) | भारतीय आर्थिक सेवा |
| (xi) | श्री पी. मोहनदासन | अवर सचिव (एंडीबी तथा पीओएल) | अवसंरचना/एंडीबी/सीएण्डसी |
| (xii) | श्री सतीश भूषण | अवर सचिव (सतर्कता) | सतर्कता |
| (xiii) | श्री ए.के. धवन | अवर सचिव (आईएफ-1) | समेकित वित्त |

2. केन्द्रीय जन सूचना अधिकारी (सीपीआईओ) सूचना मांगने वाले व्यक्तियों के अनुरोधों पर कार्रवाई करेंगे तथा उन्हें ऐसी सूचना उपलब्ध कराने में उचित मदद करेंगे। केन्द्रीय जन सूचना अधिकारी कर्तव्यों के उचित निष्पादन के लिए किसी भी अन्य अधिकारी की आवश्यक मदद ले सकते हैं। ऐसा कोई भी अधिकारी जिससे ऊपर उल्लिखित अधिनियम के तहत मदद मांगी गई हो, केन्द्रीय जन सूचना अधिकारी की सभी प्रकार की मदद करेगा तथा इस अधिनियम के उपबंधों के किन्हीं उल्लंघनों के प्रयोजनार्थ, ऐसे अन्य अधिकारी को सूचना का अधिकार अधिनियम, 2005 की धारा 5 (5) के तहत केन्द्रीय जन सूचना अधिकारी माना जाएगा।

[फा. सं. 1/1/2005-आरटीआई]

सुरजीत सिंह, निदेशक

MINISTRY OF FINANCE
(DEPARTMENT OF ECONOMIC AFFAIRS)

New Delhi, the 30th May, 2008

S. O. 2311.— In pursuance of Section 5(1) of the Right to Information Act, 2005, the following officers of the Ministry of Finance, Department of Economic Affairs are designated as Central Public Information Officers in respect of Divisions mentioned against their names :—

| S. No. | Name | Designation | Matters relating to |
|--------|----------------------------|-----------------|------------------------------|
| (1) | (2) | (3) | (4) |
| (i) | Sh. V. Ram Kumar | US (Ad. I & II) | Administration/Establishment |
| (ii) | Sh. Subodh Kumar Ghildiyal | US (Ad. IV) | Coordination & Protocol |
| (iii) | Mrs. Arun Prabha | US (PMU & Trg.) | Bilateral Credit |
| (iv) | Sh. M.A. Khan | US (Budget) | Budget Division |

| (1) | (2) | (3) | (4) |
|--------|--------------------|-------------------|--------------------------|
| (v) | Sh. Ashok Kumar | Dy. CAA & A | CAA & A |
| (vi) | Sh. A.K. Sinha | US (RE) | Capital Market Division |
| (vii) | Sh. Sumantra Pal | Assistant Adviser | Economic Division |
| (viii) | Sh. Mool Chand | US (FT) | Foreign Trade/FIPB |
| (ix) | Sh. Rohit Mathur | US (FB) | Fund Bank Division |
| (x) | Sh. S. S Soni | US (IES) | Indian Economic Service |
| (xi) | Sh. P. Mohanadasan | US (ADB & POL) | Infrastructure/ADB/C & C |
| (xii) | Sh. Satish Bhushan | US (Vig.) | Vigilance |
| (xiii) | Sh. A. K. Dhawan | US (IF-I) | Integrated Finance |

2. The Central Public Information Officer [CPIO] shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information. The CPIO may seek the assistance of any other officer as may be considered necessary for the proper discharge of duties. Any officer, whose assistance has been sought under the above mentioned Act, shall render all assistance to the CPIO and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as CPIO under Section 5(5) of the Right to Information Act, 2005.

[F. No. 1/1/2005-RTI]

SURJIT SINGH, Director

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 12 अगस्त, 2008

का.आ. 2312.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2006 से संगठन के. जे. रिसर्च फाउंडेशन, चेन्नई को निम्नलिखित शर्तों के अधीन "वैज्ञानिक अनुसंधान संघ" की श्रेणी में अनुमोदित किया गया है, अर्थात् :—

- अनुमोदित 'वैज्ञानिक अनुसंधान संघ', का एक मात्र उद्देश्य वैज्ञानिक अनुसंधान करना होगा,
- अनुमोदित संगठन स्वयं ही वैज्ञानिक अनुसंधान क्रिया कलाप को जारी रखेगा,
- अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पटीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- अपना अनुसंधान कार्यकलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्यकलाप को जायज नहीं पाया जाएगा; अथवा
- उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के उपबंधों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं 83/2008/फा.सं 203/66/2007-आ.क.नि.-11]

रेनू जौहरी, निदेशक (आ.क.नि.-11)

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 12th August, 2008

S.O. 2312.—It is hereby notified for general information that the organization K.J. Research Foundation, Chennai has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) with effect

from 1-4-2006 in the category of 'scientific research association' subject to the following conditions, namely :—

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research;
- (ii) The approved organization shall carry out the scientific research activity by itself;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

3. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and amounts applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with 5C and 5D of the Rules.

[Notification No. 83/2008/ (F.No. 203/66/2007/ITA-II)]

RENU JAUHRI, Director (ITA-II)

नई दिल्ली, 12 अगस्त, 2008

का.आ. 2313.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2008 से संगठन सर गंगाराम ट्रस्ट सोसाइटी, नई दिल्ली को निम्नलिखित

शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में संलग्न 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, नामतः :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा इसके नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान का जारी रखेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पटीकरण में यथा परिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय की विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अलग लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य कलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्य कलाप को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के उपबंधों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं 85/2008/फा. सं 203/66/2008-आ.क.नि.-(11)]

रेनू जौहरी, निदेशक (आ.क.नि.-(11))

New Delhi, the 12th August, 2008

S. O. 2313.—It is hereby notified for general information that the organization Sir Ganga Ram Trust

Society, New Delhi, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Rules, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2008 in the category of 'other Institution' partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or ist enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 85/2008/F.No. 203/66/2008/ITA-II]

RENU JAUHRI, Director (ITA-II)

नई दिल्ली, 12 अगस्त, 2008

का.आ. 2314.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2006 से संगठन टाटा मेमोरियल सेंटर, मुम्बई को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में संलग्न 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, नामतः :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा इसके नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान को जारी रखेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता-बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथापरिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय की विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अलग लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्यकलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्यकलाप को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के उपबंधों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 84/2008/फा.सं.203/118/2007-आ.क.नि.-11]

रेनू जौहरी, निदेशक (आ.क.नि.-11)

New Delhi, the 12th August, 2008

S.O. 2314.—It is hereby notified for general information that the organization Tata Memorial Centre, Mumbai, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2006 in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members of its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

3. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 84/2008/F.No. 203/118/2007/ITA-II]

RENU JAUHRI, Director (ITA. II)

विदेश मंत्रालय

(सीपीवी डिवीजन)

नई दिल्ली, 7 अगस्त, 2008

का.आ. 2315.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) व 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, जागरेब में श्री दीपक कुमार, सहायक को 7-8-2008 से सहायक कौंसली

अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

प्रीतम लाल, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV Division)

New Delhi, the 7th August, 2008

S.O. 2315.—In pursuance of the clause (ii) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, the Central Government hereby authorize Shri Deepak Kumar, Assistant to perform the duties of Assistant Consular Officer in the Embassy of India, Zagreb.

[No. T. 4330/1/2006]

PRITAM LAL, Under Secy. (Consular)

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 11 अगस्त, 2008

का. आ. 2316.—रेल मंत्रालय (रेलवे बोर्ड), राजभाषा नियम, 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उप-नियम (2) और (4) के अनुसरण में दक्षिण-पश्चिम रेलवे, हुबली के रेलवे स्टेशन, वास्को-द-गामा को जहाँ 80% से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करता है।

[सं. हिंदी-2008/रा.भा. 1/12/1]

संसार चंद, निदेशक, (राजभाषा) रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 11th August, 2008

S.O. 2316.—Ministry of Railways (Railway Board), in pursuance of Sub Rule (2) and (4) of Rule 10 of the Official Languages (use for official purposes of the union) Rules, 1976, hereby notify Railway Station, Vasco-D-Gama of South-Western Railway, Hubli, where 80% or more Officers/Employees have acquired the working knowledge of Hindi.

[No. Hindi-2008/O.L. 1/12/1]

SANSAR CHAND, Director (O.L.) Railway Board

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 6 अगस्त, 2008

का.आ. 2317.—इस मंत्रालय की दिनांक 13 सितम्बर, 2007 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, डॉ. दुर्गेश त्रिपाठी, डी- 728, स्ट्रीट नं. 4, कृष्ण मंदिर के निकट, गणेश नगर-II, शकरपुर नई दिल्ली को दिल्ली सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/7/2007-एफ(सी)]

संगीता सिंह, निदेशक (फिल्म)

**MINISTRY OF INFORMATION AND
BROADCASTING**

New Delhi, the 6th August, 2008

S.O. 2317.—In continuation of this Ministry's Notification of even number dated 13th September, 2007 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with Rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint Dr. Durgesh Tripathi, D- 728, Street No. 4, Near Krishna Mandir, Ganesh Nagar-II Shakarpur, New Delhi as a member of the Delhi advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/7/2007-F(C)]

SANGEETA SINGH, Director (Films)

नई दिल्ली, 7 अगस्त, 2008

का.आ. 2318.—इस मंत्रालय की दिनांक 31 मई, 2007 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, श्री जी. नरेंद्र यादव, 14-5-213/214, चूड़ी बाजार, बेदरवाड़ी, बेगम बाजार, हैदराबाद-500012 को हैदराबाद सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/1/2007-एफ (सी)]

संगीता सिंह, निदेशक (फिल्म)

New Delhi, the 7th August, 2008

S.O. 2318.—In continuation of this Ministry's Notification of even number dated 31st May, 2007 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint Shri G. Narender Yadav, 14-5-213/214, Chudi Bazar, Bedarwadi, Begum Bazar, Hyderabad -500012 as a member of the Hyderabad advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/1/2007-F(C)]

SANGEETA SINGH, Director (Films)

नई दिल्ली, 7 अगस्त, 2008

का.आ. 2319.— इस मंत्रालय की दिनांक 13 सितम्बर, 2007 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, श्री अशोक कुमार, 3 आराम बाग लेन, पंचकुइया रोड, नई दिल्ली-55 को दिल्ली सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/7/2007-एफ (सी)]

संगीता सिंह, निदेशक (फिल्म)

New Delhi, the 7th August, 2008

S.O. 2319.—In continuation of this Ministry's Notification of even number dated 13th September, 2007 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint Shri Ashok Kumar, 3 Aram Bagh Lane, Panchkuian Road, New Delhi-55 as a member of the Delhi advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/7/2007-F(C)]

SANGEETA SINGH, Director (Films)

संचार और सूचना प्रौद्योगिकी मंत्रालय

दूरसंचार विभाग

(राजभाषा अनुभाग)

नई दिल्ली, 11 अगस्त, 2008

का.आ. 2320.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित 1987) के नियम 10 (4) के अनुसरण में संचार और सूचना प्रौद्योगिकी मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

मुख्य महाप्रबंधक, महाराष्ट्र दूरसंचार परिमंडल, भा. सं. नि.लि., मुंबई

महाप्रबंधक दूरसंचार कार्यालय, संचार भवन, खारे घाट रोड, रत्नागिरी-415612

[सं. ई. 11016/1/2007-रा.भा.(पार्ट-1)]

सुधा श्रोत्रिय, संयुक्त सचिव (प्रशासन)

**MINISTRY OF COMMUNICATIONS AND
INFORMATION TECHNOLOGY**

(Department of Telecommunications)

(O.L. SECTION)

New Delhi, the 11th August, 2008

S.O. 2320.—In pursuance of rule 10(4) of the Official Language (Use for official purposes of the Union), Rules, 1976 (as amended -1987), the Central Government hereby notifies the following Office under the administrative control of Ministry of Communications and Information Technology, Department of Telecommunications where of more than 80% of staff have acquired working knowledge of Hindi.

Chief General Manager (Telecom.), Maharashtra Circle, B.S.N.L., Mumbai

General Manager Telecom, Sanchar Bhavan, Khare Ghat Road, Ratnagiri-415612

[No. E. 11016/1/2007-O.L.(Part-1)]

SUDHA SHROTRIA, Jt. Secy. (Administration)

नई दिल्ली, 11 अगस्त, 2008

का.आ. 2321.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10(4) के अनुसरण में संचार और सूचना प्रौद्योगिकी मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

मुख्य महाप्रबंधक दूरसंचार, हरियाणा परिमंडल, भा.सं. नि.लि., अम्बाला

1. कार्यकारी अभियंता (सिविल) भारत संचार निगम लिमिटेड, सिविल मंडल पानीपत

2. सिविल उप मंडल, भारत संचार निगम लिमिटेड, जीन्द

[सं. ई. 11016/1/2007-रा.भा. (पार्ट-1)]

सुधा श्रोत्रिया, संयुक्त सचिव (प्रशासन)

New Delhi, the 11th August, 2008

S.O. 2321.—In pursuance of rule 10(4) of the Official Language (Use for official purposes of the Union) rules, 1976 (as amended-1987), the Central Government hereby notifies the following Offices under the administrative control of Ministry of Communications and Information Technology, Department of Telecommunications where of more than 80% of staff have acquired working knowledge of Hindi.

सारणी

| क्रम सं. | नियम | क्षेत्रीय कार्यालयों के प्रभारी अधिकारी | शक्तियां |
|----------|------------|---|---|
| (1) | (2) | (3) | (4) |
| 1. | नियम 9(1) | नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल | वाणिज्यिक प्रयोगशाला, सहकारिता/सहयोजन प्रयोगशाला और राज्य श्रेणीकरण प्रयोगशाला के रसायन का अनुमोदन करना। |
| 2. | नियम 18 | नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल | किसी युक्तियुक्त समय पर किसी परिसर में प्रवेश करना और भंडारण, प्रसंस्करण पैकेजिंग और अभिवहन का निरीक्षण करना और कृषि उत्पाद की तलाशी लेना यदि उसे यह विश्वास करने के कारण है कि अधिनियम या इसके अधीन बनाए गए नियमों के किसी उपबंध का उल्लंघन हुआ है या हो रहा है। |
| 3. | नियम 19(1) | नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल | किसी वस्तु को अभिगृहीत करना, यदि उसे विश्वास करने के कारण है कि अधिनियम या इसके अधीन बनाए गए नियमों के किसी उपबंध का उल्लंघन हुआ है। |
| 4. | नियम 19(3) | नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल | संबद्ध परिसरों या स्थापन के स्वामी या स्वामी के प्राधिकृत प्रतिनिधि को लिखित आदेश तामील करना कि वह पूर्व अनुज्ञा के सिवाय वस्तु को नहीं हटाएगा/हटाएगी या अलग करेगा/करेगी या अन्यथा संव्यवहार करेगा/करेगी यदि वह ऐसी किसी वस्तु को अभिगृहीत करना व्यवहार्य नहीं पाता है। |

Chief General Manager (Telecom.) Haryana Circle, B.S.N.L., Ambala

1. Executive Engineer (Civil) B.S.N.L. Civil Division Panipat

2. Civil Sub Division, B.S.N.L. Jind

[No.E.11016/1/2007-O.L.(Part-I)]

SUDHA SHROTRIA, Jt. Secy. (Administration)

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

विपणन एवं निरीक्षण निदेशालय

दिल्ली, 8 अगस्त, 2008

का.आ. 2322.—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिन्हांकन) अधिनियम, 1937(1937 का 1) की धारा 3 के अधीन बनाई गई सामान्य श्रेणीकरण और चिन्हांकन नियमावली, 1988 के नियम 9 के उपनियम (1), नियम 18 और नियम 19 के उपनियम(1), (3) और (4) के अनुसरण में विपणन और निरीक्षण निदेशालय के नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल क्षेत्रीय कार्यालयों के प्रभारी अधिकारियों के निम्नलिखित सारणी में यथाविनिर्दिष्ट उक्त अधिनियम के प्रयोजनों हेतु शक्तियों का प्रयोग करने के लिए प्राधि कृत करती है, अर्थात् :—

| (1) | (2) | (3) | (4) |
|-----|------------|---|--|
| 5. | नियम 19(4) | नई दिल्ली, मुंबई, कोलकाता, चेन्नई, हैदराबाद, चंडीगढ़, गुवाहाटी, कोचीन, लखनऊ, जयपुर और भोपाल | ऐसी वस्तु का व्ययन करना, यदि उसकी यह राय है कि इस प्रकार अभिगृहीत या प्रतिधृत वस्तु त्वरित या प्राकृतिक क्षय के अधीन है या यह अन्यथा इस उपनियम के खंड (क), (ख), (ग), (घ) और (ङ) में यथाविहित रीति में इस प्रकार करना लोकहित में समीचीन है। |

[फाईल सं. क्यू-11011/10/2001-एसटीडी]

यू. के. एस. चौहान, कृषि विपणन सलाहकार

MINISTRY OF AGRICULTURE**(Department of Agriculture and Co-operation)****Directorate of Marketing and Inspection**

New Delhi, the 8th August, 2008

S.O. 2322.— In pursuance of sub-rule (1) of rule 9, rule 18, sub-rules (1), (3) and (4) of rule 19 of the General Grading and Marking Rules, 1988, made under Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby authorizes the officers in-charge of the Regional offices, New Delhi, Mumbai, Kolkatta, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur and Bhopal of the Directorate of Marketing and Inspection to exercise the powers for the purposes of the said Act, as specified in the following table, namely:—

Table

| Sl. No. | Rule | Officers in-charge of Regional Offices | Powers |
|---------|------------|---|---|
| (1) | (2) | (3) | (4) |
| 1. | Rule 9(1) | New Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur, and Bhopal | To approve the chemist of Commercial Laboratory, Co-operative/Association Laboratory and State Grading Laboratory |
| 2. | Rule 18 | New Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur and Bhopal | To enter any premises at any reasonable time and inspect in storage, processing packaging and transit, and search for the Agricultural produce if he has reasons to believe that any provision of the Act or the rules made thereunder has been, or is being contravened. |
| 3. | Rule 19(1) | New Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur and Bhopal | To seize any article, if he has reasons to believe that any provision of the Act or the rules made there under has been contravened. |
| 4. | Rule 19(3) | New Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur and Bhopal | To serve written order to the owner or authorized representative of the owner of the concerned premises or establishment, that he/she shall not remove or part with or otherwise deal with the article except with the previous permission, if he finds it not practicable to seize any such article. |
| 5. | Rule 19(4) | New Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Guwahati, Cochin, Lucknow, Jaipur and Bhopal | To dispose of such article, if he is of the opinion that the article so seized or detained is subject to speedy or natural decay or it is otherwise expedient in the public interest to do so, in the manner as prescribed, in clauses (a), (b), (c), (d) and (e) of this sub-rule. |

[File No. Q-11011/10/2001-STD]

U. S. CHAUDHAN, Agricultural Marketing Adviser

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

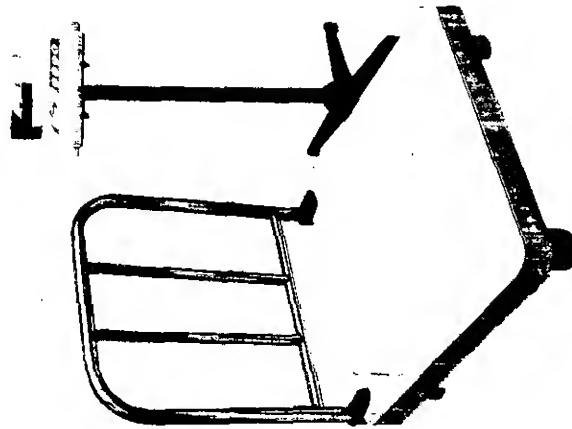
(उपभोक्ता मामले विभाग)

नई दिल्ली, 23 जून, 2008

का.आ. 2323.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एक्सपर्ट एंटरप्राइजेज, प्लॉट नं. 40, सेक्टर-2, परवानू, जिला-सोलन-173 220, हि.प्र. द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के "एक्स/एल/500" श्रृंखला के अंकक सूचक सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) और जिसके ब्राण्ड का नाम "एक्सपर्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/49 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इस मॉडल में द्रव्य की अधिकता द्वारा विभिन्न द्रव्यों हेतु मास इंडिकेशन (कि.ग्रा.) को वोल्यूम इंडिकेशन (ली.) में बदलने की मैन्यूवली साफ्टवेयर सुविधा भी उपलब्ध है।



बॉटम पर सीलिंग के लिए चार स्क्रू होते हैं, जिनमें से एक इंडिकेटन को सील करने के विशेष उद्देश्य हेतु विभिन्न प्रकार का होता है। बॉडी और विशेष स्क्रू पर उपलब्ध कराए गए हॉल में से एक सीलिंग वायर को पास कराया जाता है तथा इस वायर पर एक लीड सील लगा दी जाती है। सील को तोड़ बिना इंडिकेटन को नहीं खोला जा सकता है। मॉडल के सीलिंग प्रावधान का टाइपिकल सिमेटिक डायग्राम नीचे दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. अथवा उससे अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(07)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

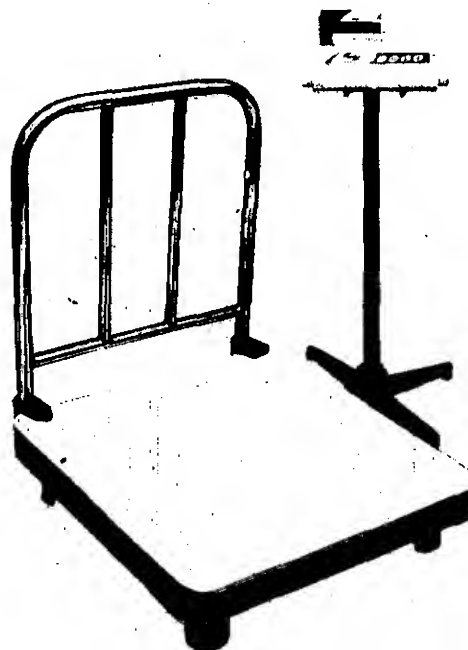
(Department of Consumer Affairs)

New Delhi, the 23rd June, 2008

S.O. 2323.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "AX/L/500" and with brand name "AXPERT" (hereinafter referred to as the said model), manufactured by M/s. Axpert Enterprises, Plot No. 40, Sector-2, Parwanoo, Distt. Solan-173 220, H. P. and which is assigned the approval mark IND/09/08/49 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg. and minimum capacity of 1kg. The verification scale interval (e) is 50 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply. The model is also having software facility to convert mass indication (kg) to volume indication (litre) manually for different liquid by adding density factor of the liquid.



For sealing there are four screws, at the bottom out of which one is of different type for special purpose for sealing the instrument. A sealing wire is passed through the body and hole provided at the special screw and a lead seal is applied at the end of this wire. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (01)/2008]

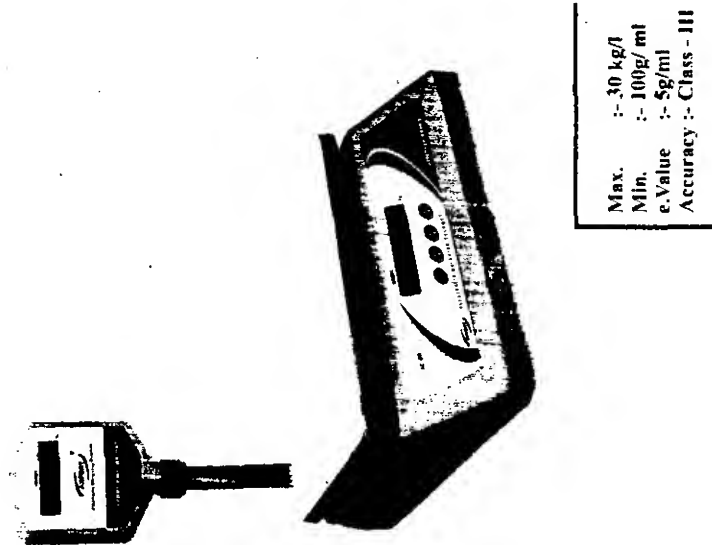
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 जून, 2008

का.आ. 2324.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स एक्सपर्ट एंटरप्राइजेज, प्लॉट नं. 40, सेक्टर-2, परवाना, जिला-सोलन-173 220, हि.प्र. द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के "एक्स/एल/30" शृंखला के अंकक सूचक सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) और जिसके ब्राण्ड का नाम "एक्सपर्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/48 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यंस्कलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इस मॉडल में द्रव्य की अधिकता द्वारा विभिन्न द्रव्यों हेतु मास इंडिकेशन (कि.ग्रा.) को वोल्यूम इंडिकेशन (ली.) में बदलने की मैन्यूवली साफ्टवेयर सुविधा भी उपलब्ध है।



बॉटम पर सीलिंग के लिए चार स्क्रू होते हैं, जिनमें से एक इंडिकेटन को सील करने के विशेष उद्देश्य हेतु विभिन्न प्रकार का होता है। बाड़ी और विशेष स्क्रू पर उपलब्ध कराए गए हॉल में से एक सीलिंग वायर को पास कराया जाता है तथा इस वायर पर एक लीट सील लगा दी जाती है। सील को तोड़ें बिना इंडिकेटन को नहीं खोला जा सकता है। मॉडल के सीलिंग प्रावधान का टाइपिकल सिमेटिक डायग्राम नीचे दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. अथवा उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(07)/2008]

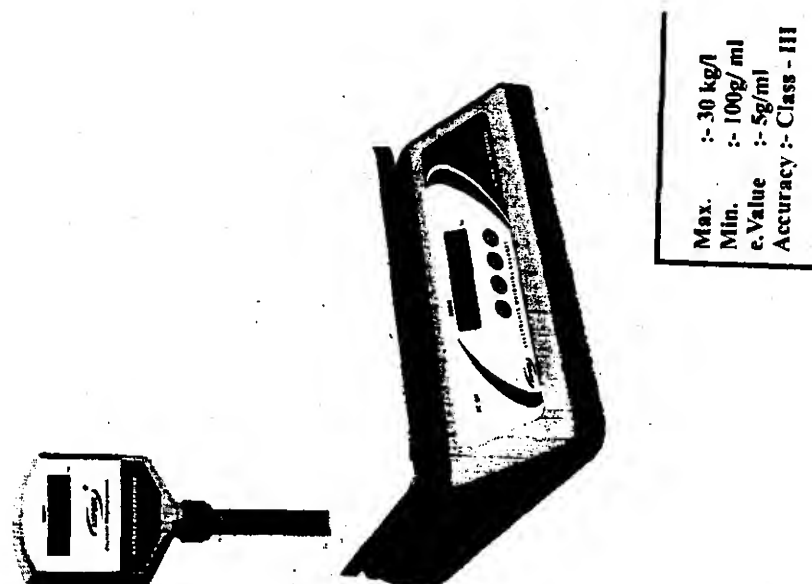
आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd June, 2008

S.O. 2324.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of, non-automatic weighing instrument (Tabletop type) with digital indication of "AX/L/30" series of medium accuracy (accuracy class-III) and with brand name "AXPERT" (hereinafter referred to as the said model), manufactured by M/s. Axpert Enterprises, Plot No. 40, Sector-2, Parwanoo, Distt. Solan-173 220, H. P. and which is assigned the approval mark IND/09/08/48 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply. The model is also having software facility to convert mass indication (kg) to volume indication (litre) manually for different liquid by adding density factor of the liquid.



For sealing there are four screws, at the bottom out of which one is of different type for special purpose for sealing the instrument. A sealing wire is passed through the body and hole provided at the special screw and a lead seal is applied at the end of this wire. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (07)/2008]

R. MATIURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 जून, 2008

का.आ. 2325.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स रघु पुष्पा एंटरप्राइजेज, प्लॉट नं. 22, इंडस्ट्रियल एस्टेट, जय जवान जय किसान फ्लोर मिल के सामने, पोस्ट-चेतगांव, तहसील-पैथान, जिला-औरंगाबाद-431 005, महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के "पीडब्ल्यूटी-11" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) और जिसके ब्राण्ड का नाम "पावर ईएक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/115 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यस्कलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



बॉटम प्लेट में और इंडिकेटर के सामने किए गए छिद्रों के माध्यम से सीलिंग की जाती है, उसके बाद उन छिद्रों में से तार को निकाला जाता है और तार पर लीड सील को फिक्स किया जाता है। मॉडल के सीलिंग प्रावधान का टाइपिकल सिमेटिक डायग्राम ऊपर दिया गया है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसमें उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. अथवा उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(33)/2008]

आर. माधुरवृधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd June, 2008

S.O. 2325.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "PWT-11" series of medium accuracy (Accuracy class-III) and with brand name "POWER-EX" (hereinafter referred to as the said model), manufactured by M/s. Raghu Pushpa Enterprises, Plot No. 22, Udyog Mitra Co-Op. Ind. Estate, Opp. Jai-Jawan Jai Kishan Flour Mill, At Post-Chitegaon, Ta.-Paithan, Dist. Aurangabad-431 005, Maharashtra and which is assigned the approval mark IND/09/08/115 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



Sealing is done through the holes made in the bottom plate and front of the scale, then a wire is passed through these holes and the lead seal is fixed on the wire. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (33)/2008]

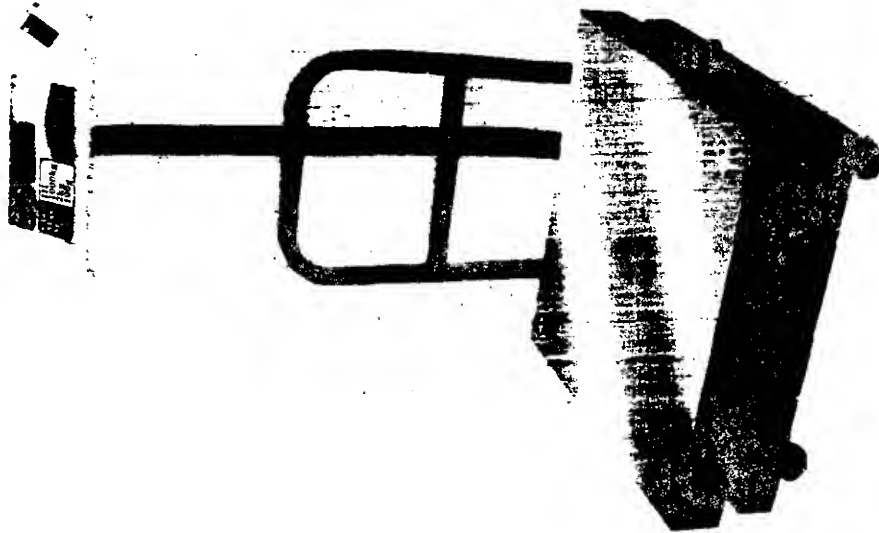
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 जून, 2008

का.आ. 2326.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स रघु पुष्पा एंटरप्राइजेज, प्लॉट नं. 22, इंडस्ट्रियल एस्टेट, जय जवान जय किसान प्लॉट मिल के सामने, पोस्ट-चेतगांव, तहसील-पैथान, जिला-औरंगाबाद-431 005, महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के "पीडब्ल्यूटी-7" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) और जिसके ब्राण्ड का नाम "पावर-ईएक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/116 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। उपकरण (डी) की पठनीयता 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



बॉटम प्लेट में ओर इंडिकेटर के सामने किए गए छिद्रों के माध्यम से सीलिंग की जाती है, उसके बाद उन छिद्रों में से तार को निकाला जाता है और तार पर लीड सील को फिक्स किया जाता है। मॉडल के सीलिंग प्रावधान का टेडपिकल सिमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन की अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. अथवा उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) 50 किलोग्राम से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(33)/2008]

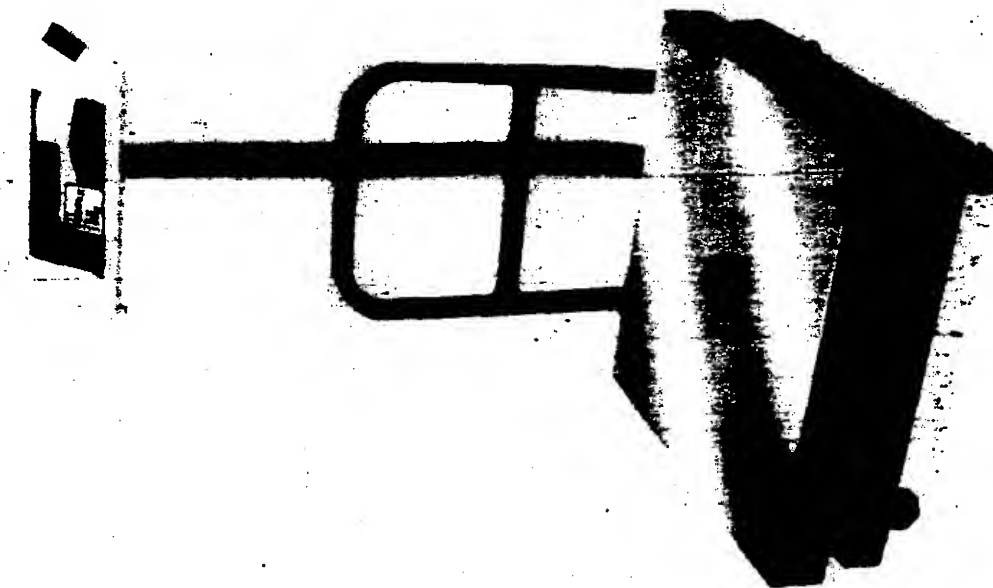
अणु माथुरनूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd June, 2008

S.O. 2326.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "PWP-7" and with brand name "POWER-EX" (hereinafter referred to as the said model), manufactured by M/s. Raghu Pushpa Enterprises, Plot No. 22, Udyog Mitra Co-Op. Ind. Estate, Opp. Jai-Jawan Jai-Kishan Flour Mill, At Post-Chitegaon, Ta.-Paithan, Dist. Aurangabad-431 005, Maharashtra and which is assigned the approval mark IND/09/08/116;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 2kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



Sealing is done through the holes made in the bottom-plate and front of the indicator, then a wire is passed through these holes and the lead seal is fixed on the wire. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 500kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (33)/2008]

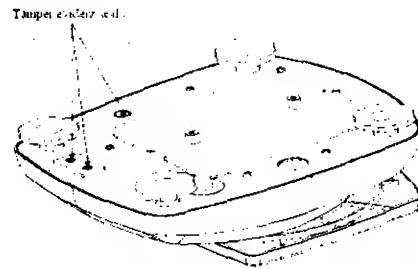
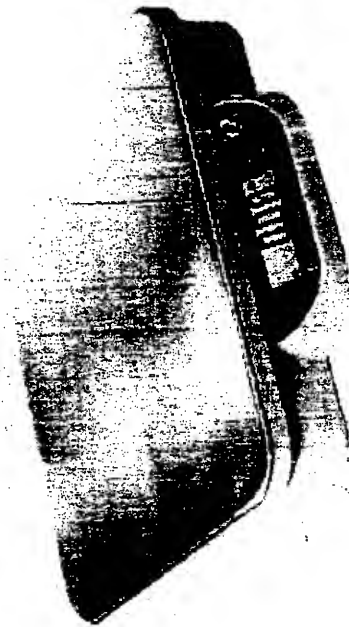
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

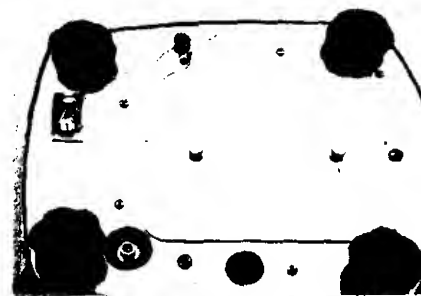
का.आ. 2327.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए, चैम्पिन रोड, पोस्ट बाक्स 2033, 07058 पाइन बुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "कैटापुल्ट 1000" श्रृंखला के स्वतः सूचक अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, सांकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/559 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 75 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



Wire through stress relief holes



Catapult Series Mechanical Sealing

तोल स्केल के तल में, तीन नट छिद्रों के साथ बोर होते हैं तथा स्टाम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लोड तौर वांछा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीपैटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

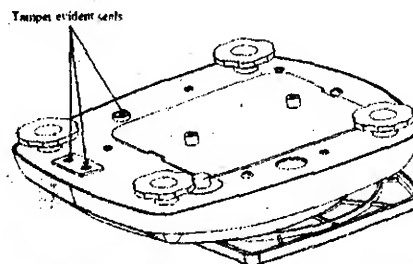
आर. माथुरबूथम, निदेशक, विधिक माप-विज्ञान

New Delhi, the 27th June, 2008

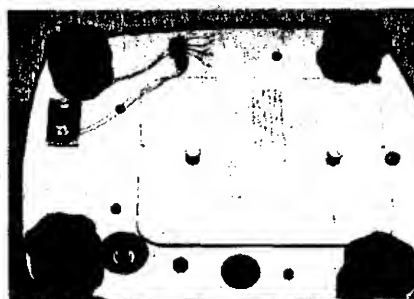
S.O. 2327.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic, (Platform type) weighing instrument with digital indication of "Catapult 1000" series of medium accuracy (Accuracy class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alternation before or after sale by M/s. Ohaus Weighing India Private Limited, Amarnagar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/559 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 75kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



Wire through cross drilled holes



Catapult Series Mechanical Sealing

At the bottom of the weighing scale, three nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity 50 kg to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

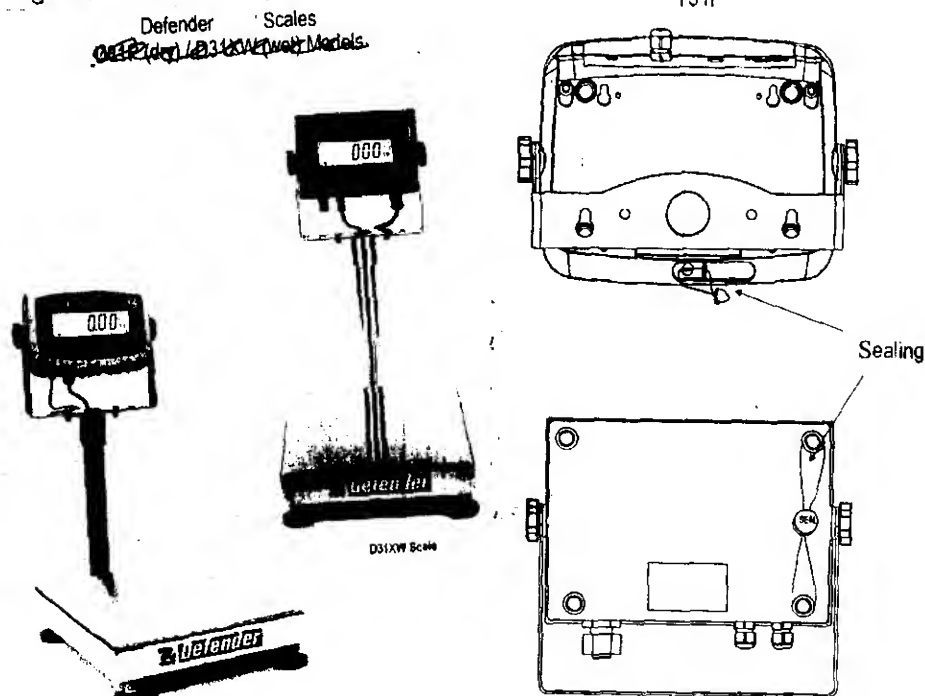
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2328.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए, चैम्पन रोड, पोस्ट बाक्स 2033, 07058 पाइन ब्रुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डिफेंडर" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/558 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



Defender Series Mechanical Sealing

इंडीकेटर के पीछे, दो नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लोड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

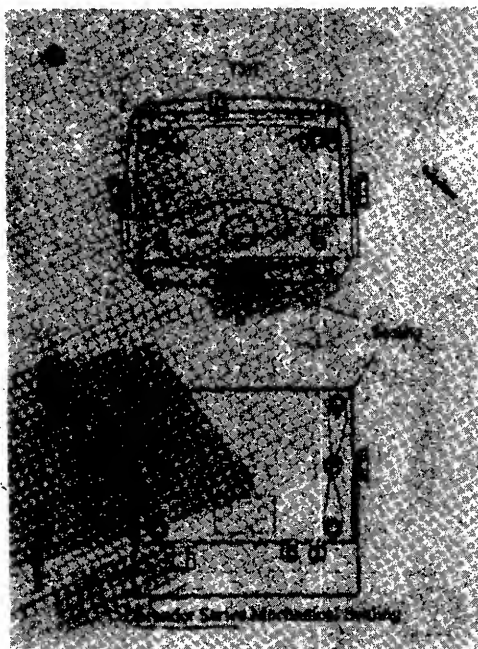
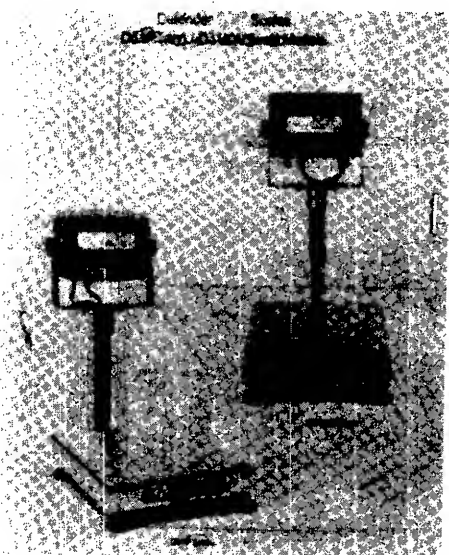
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2328.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic, (Platform type) weighing instrument with digital indication of "Defender" series of medium accuracy (Accuracy class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alternation before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/558;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 300kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.



At the rear side of the indicator, two nuts are boared with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of scaling provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity comprising of 50 kg to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2329.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

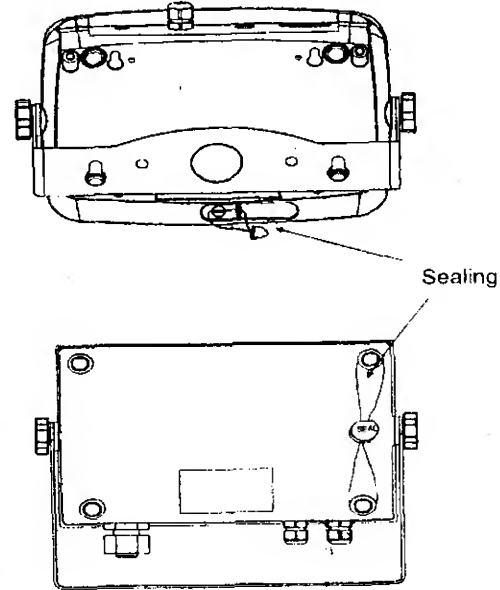
अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए, मैसर्स हौस कौरपोरेशन, 19ए, चैम्पनी रोड, पोस्ट बाक्स 2033, 07058 पाइन ब्रुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसडी" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/557 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

SD Series Scale



T31P



SD Series Mechanical Sealing

इंडीकेटर के पीछे, दो नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

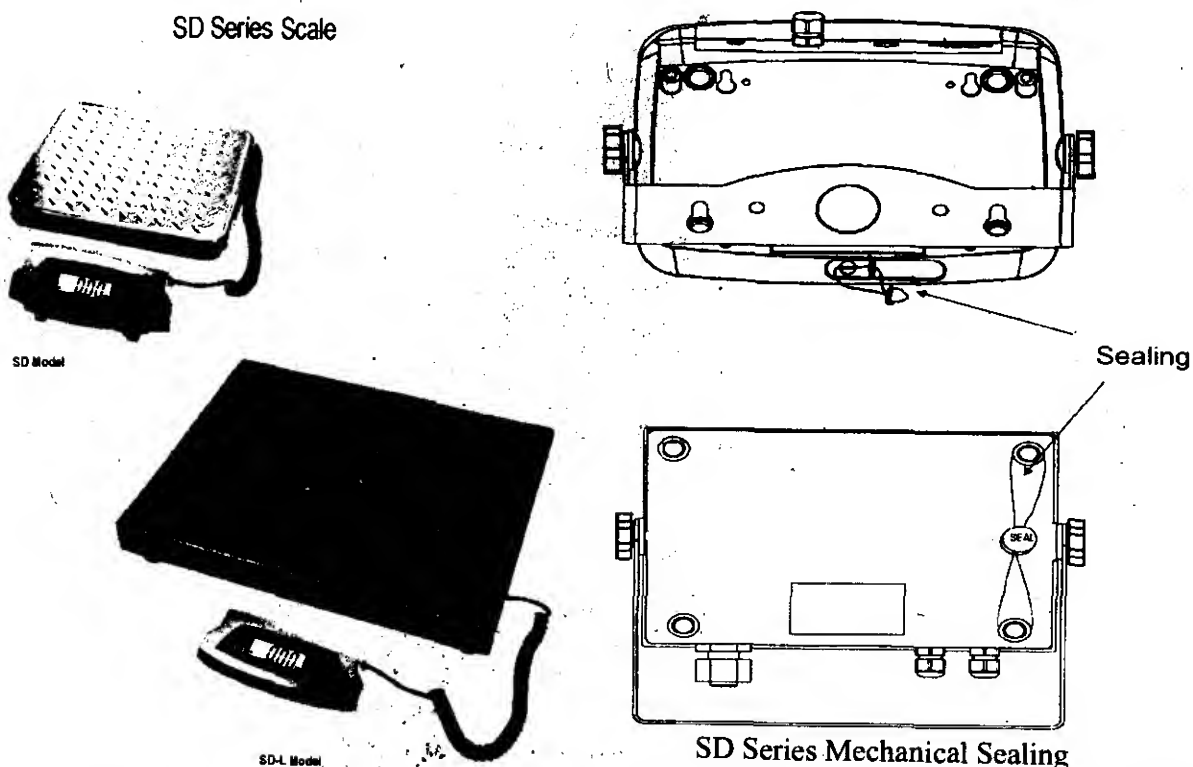
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2329.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic, (Platform type) weighing instrument with digital indication of "SD" series of medium accuracy (Accuracy class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alternation before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/557 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 200kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



At the rear side of the indicator, two nuts are boared with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity 50 kg to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (291)/2007]

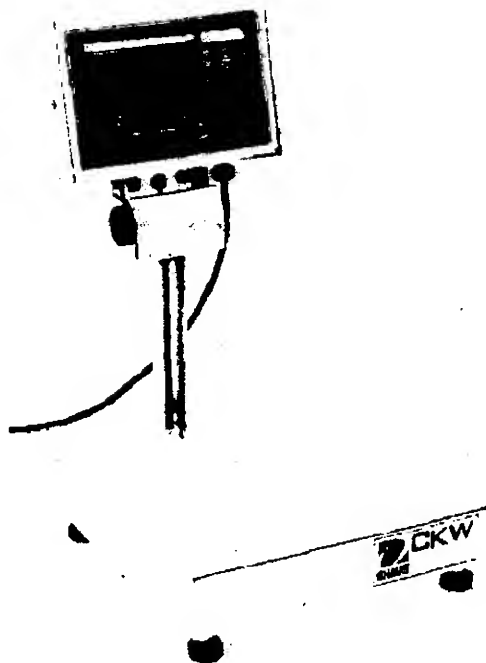
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2330.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए, मैसर्स हौस कोरपोरेशन, 19ए, चैम्पिन रोड, पोस्ट बाक्स 2033, 07058 पाइन बुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी डब्ल्यू के" शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/556 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा स्रियुत प्रदाय पर कार्य करता है।



इंडीकेटर के पीछे, दो नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

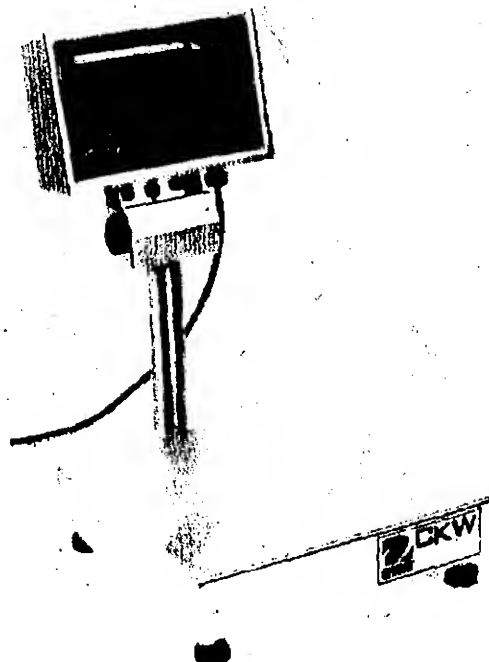
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2330.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "CWK" series of medium accuracy (Accuracy class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alternation before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/556;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.



At the rear side of the indicator, two nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

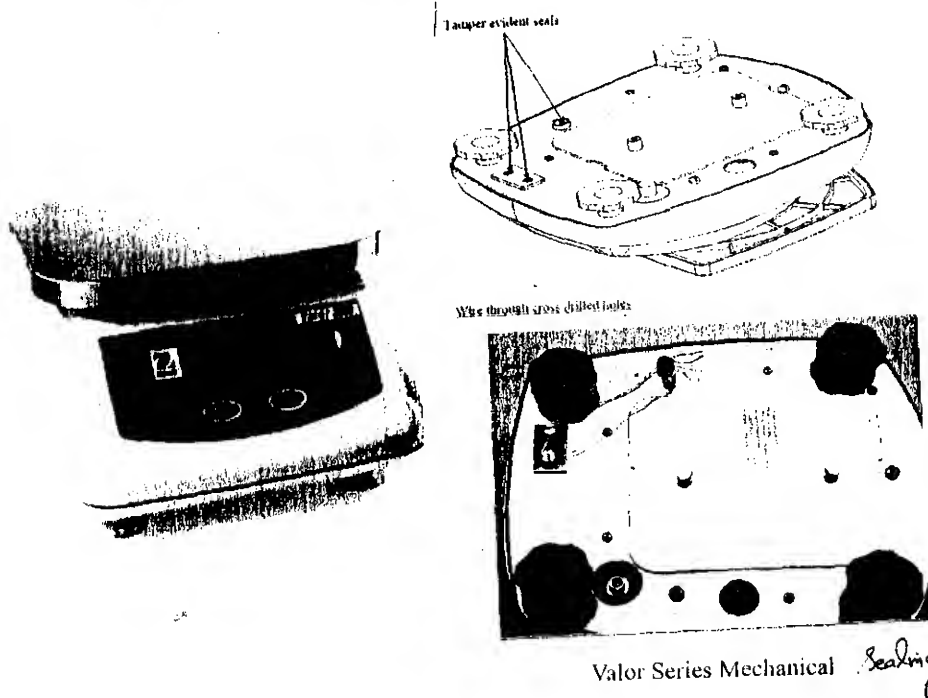
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2331.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए, चैम्प्योन रोड, पोस्ट बाक्स 2033, 07058 पाइन ब्रुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "वालोर" श्रृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन.डी/13/07/555 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



वेइंग स्कैल के तल में, तीन नट छिद्रों के साथ बोर होते हैं तथा स्टाम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम- 21(291)/2007]

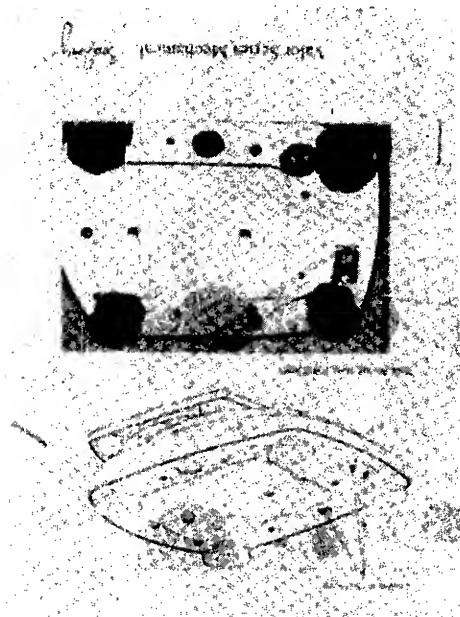
आर. माधुराधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2331.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "Valor" series of medium accuracy (Accuracy class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/555.

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 15kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50Hertz alternative current power supply.



At the bottom of the weighing scale, three nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

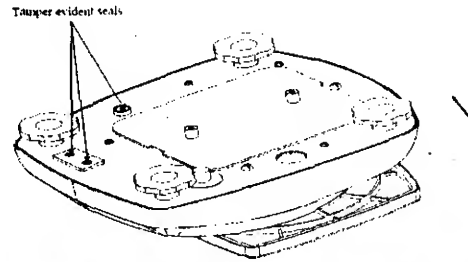
नई दिल्ली, 27 जून, 2008

का.आ. 2332.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

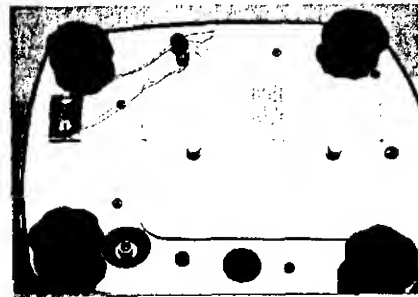
अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए, चैम्पिन रोड, पोस्ट बाक्स 2033, 07058 पाइन बुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "वालोर-3000" शृंखला अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पौवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/554 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 ग्रा. और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

Valor 3000
Photo



Wires through cross drilled holes



Valor 3000 Series Mechanical Sealing

वेइंग स्केल के तल में, तीन नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के 'ई' मान के लिए 100 से 5,000 तक की रेंज में और 100 मि.ग्रा. अथवा उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-4} , 2×10^{-4} या 5×10^{-4} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

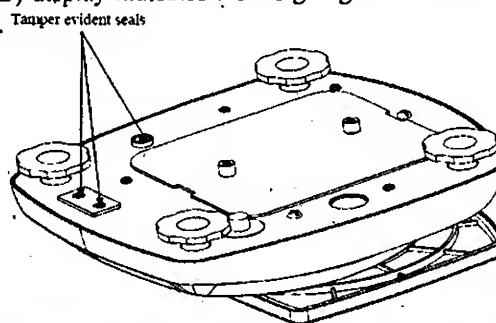
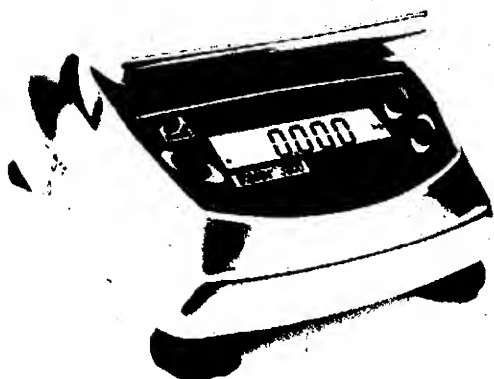
New Delhi, the 27th June, 2008

S.O. 2332.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

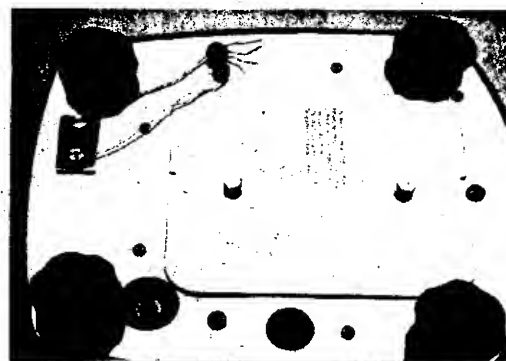
Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "Valor 3000" series of high accuracy (Accuracy class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alternation before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/554;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 200g and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Valor 3000
Photo



Wire through cross drilled holes



Valor 3000 Series Mechanical Sealing

At the bottom of the weighing scale, three nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

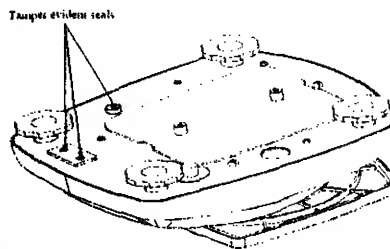
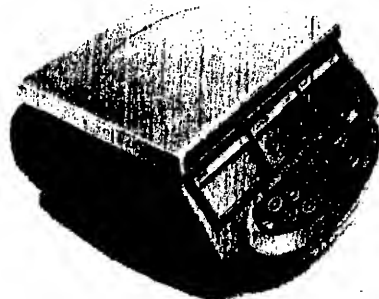
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

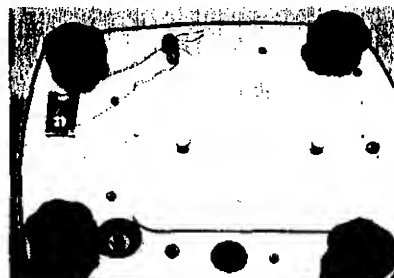
का.आ. 2333.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए चैम्पीन रोड, पोस्ट बाक्स 2033, 07058 पाइन ब्रुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "ई सी" शृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/07/553 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30,000 ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

EC Series
Photo

When the device is used, the holes



EC Series Sealing

वेइंग स्केल के तल में, तीन नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिसे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के 'ई' मान के लिए 100 से 5000 की रेंज में और 100 मि. ग्रा. अथवा उससे अधिक के 'ई' मान के लिए 5000 से 50,000 की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

आर. माथुरवृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2333.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of "EC" series of high accuracy (Accuracy class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/13/07/553;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30,000g and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

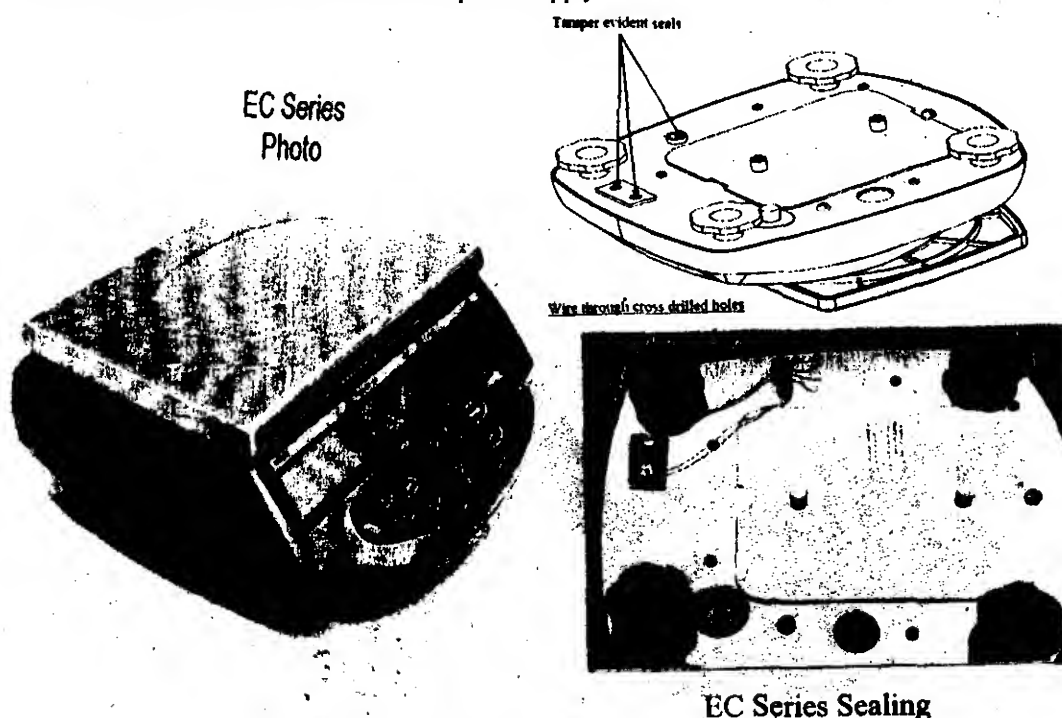


Figure-2 Schematic diagram of sealing provision of the model

At the bottom of the weighing scale, three nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (291)/2007]

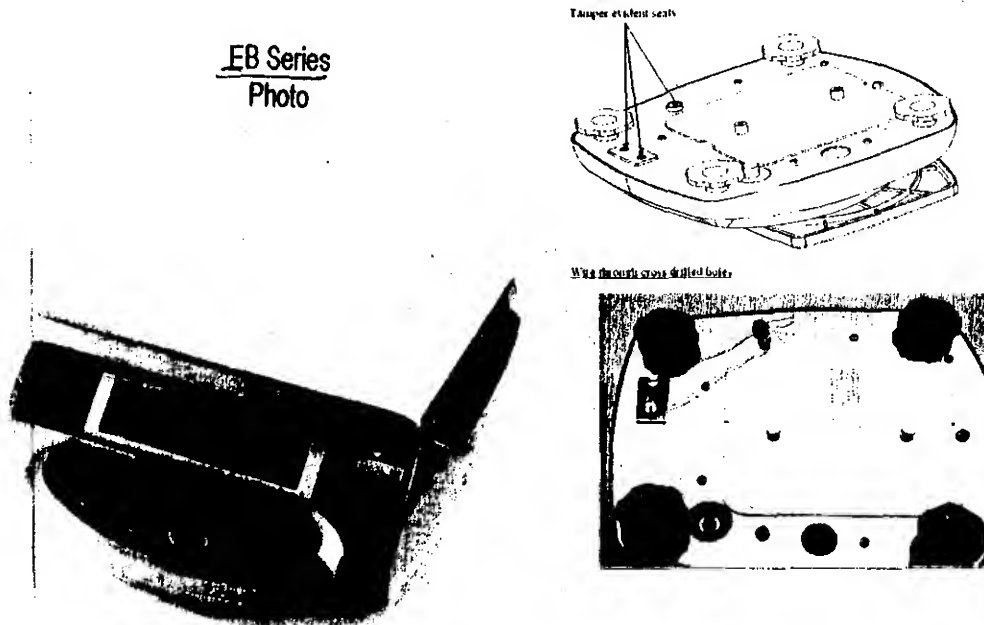
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2334.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हौस कोरपोरेशन, 19ए चैम्पीन रोड, पोस्ट बाक्स 2033, 07058 पाइन बुक, एन जे 07058-2033, यू एस ए द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "ई बी" श्रृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "हौस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स हौस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400 072 को बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया है और जिसे अनुमोदन चिह्न आई एन डी /13/07/552 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 3000 ग्रा. और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



EB Series Sealing

वेइंग स्केल के तल में, तीन नट छिद्रों के साथ बोर होते हैं तथा स्ट्याम्प और सील के सत्यापन के लिए इन छिद्रों के माध्यम से लीड तार बांधा जाता है। मॉडल के सीलिंग प्रावधान का एक विशिष्ट सीमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के 'ई' मान के लिए 100 से 50,000 की रेंज में और 100 मि. ग्रा. अथवा उससे अधिक के 'ई' मान के लिए 5000 से 50,000 की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(291)/2007]

माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2334.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of "EB" series of high accuracy (Accuracy class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box-2033, 07058 Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/13/07/552;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 3,000g and minimum capacity of 5g. The verification scale interval (e) is 0.1g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

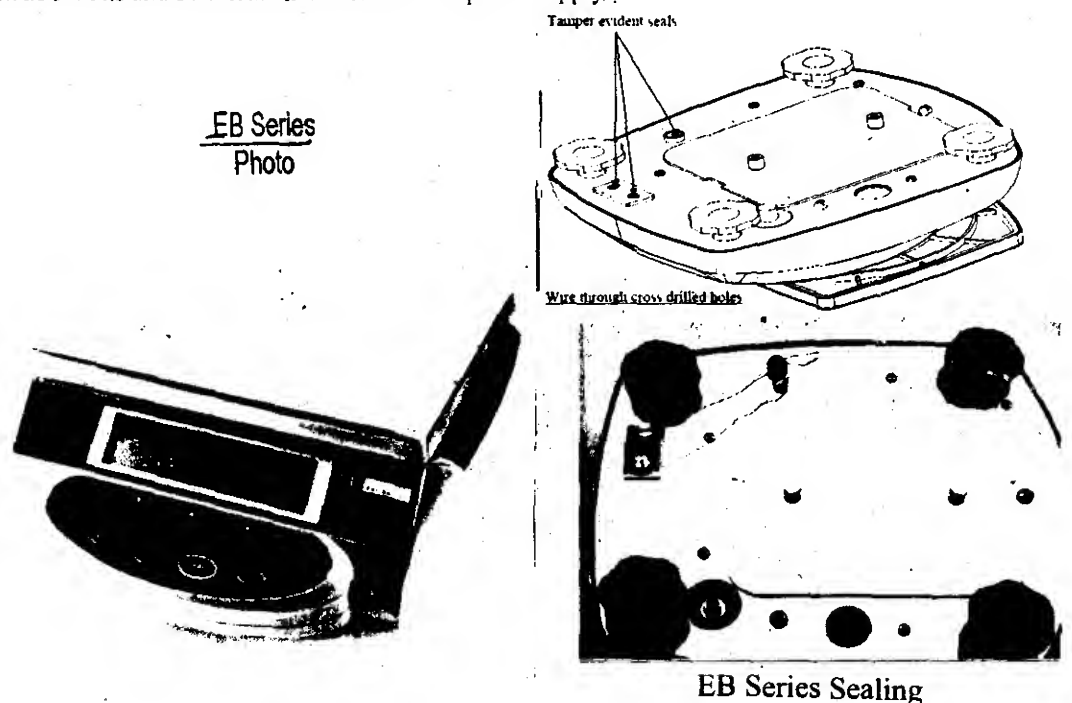


Figure-2 Schematic diagram of sealing provision of the model

At the bottom of the weighing scale, three nuts are bored with holes and leaded wire is fastened through these holes for receiving the verification stamp and seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'k' value of 1×10^4 , 2×10^4 or 5×10^4 , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

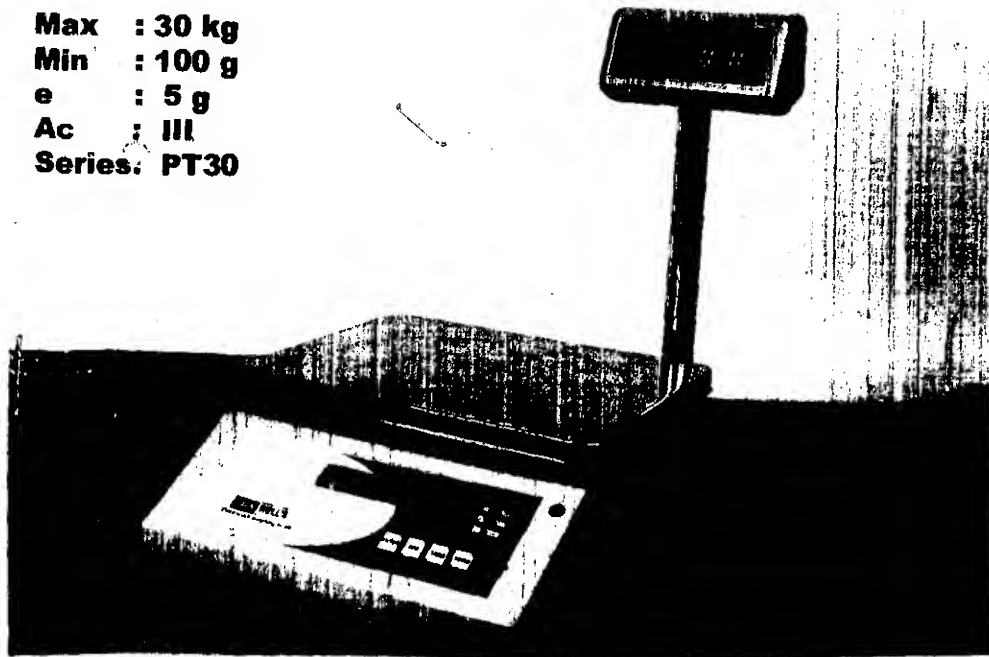
[F. No. WM-21 (291)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2335.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पैकवैल्व आटोमेशन कम्पनी, डी-16, जे बी सावंत बस स्टॉप नं. 2, मण्डल कम्पाउंड, आदिवासी पाडा, वागले इस्टेट, थाने-400604 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले के 'पी टी-30' शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार), जिसके ब्रांड का नाम "पैकवैल्व" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी /09/07/291 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है। और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के 'ई' मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(132)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2335.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Tabletop type) weighing instrument with digital indication of "PT-30" series of medium accuracy (Accuracy class-III) and with brand name "PACKWELL'S" (herein referred to as the said model), manufactured by M/s. Packwell's Automation Company, D-16, J.B. Sawant Bus Stop No. 2, Mandal Compound, Adivasi Pada, Wagle Estate, Thane-400604, Maharashtra and which is assigned the approval mark IND/09/07/291;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

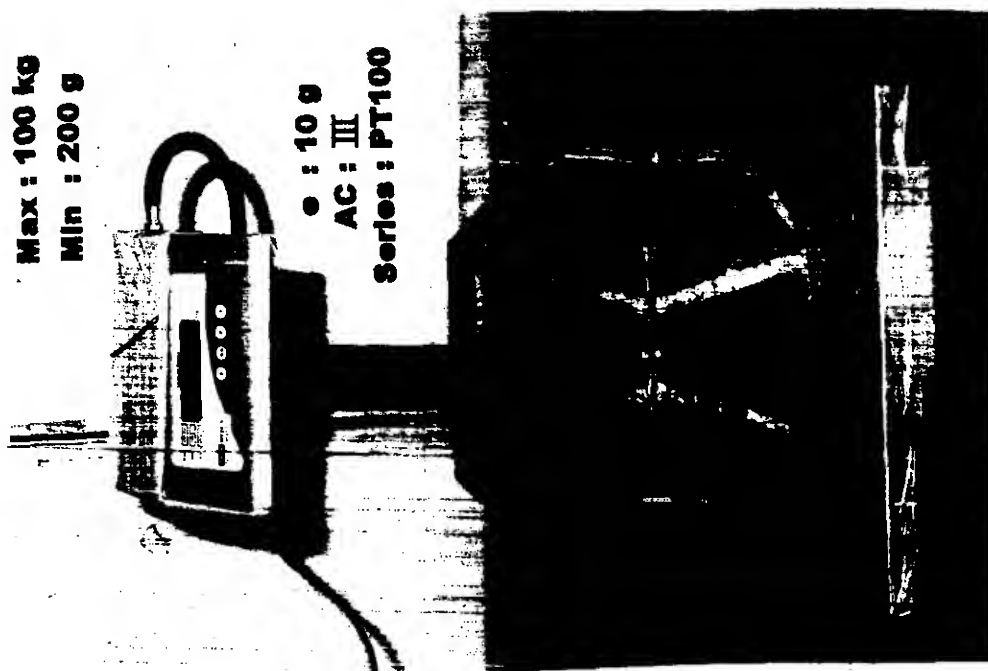
[F. No. WM-71 (132)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2336.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पैकवैल्ज आटोमेशन कम्पनी, डी-16, जे बी सावंत बस स्टॉप नं. 2, मण्डल कम्पाउंड, आदिवासी पाडा, बागले इस्टेट, थाने-400604 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) के 'पी टी-100' शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) जिसके ब्रांड का नाम "पैकवैल्ज" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी /09/07/292 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 100 कि.ग्रा. है। और न्यूनतम क्षमता 200 ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सोलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

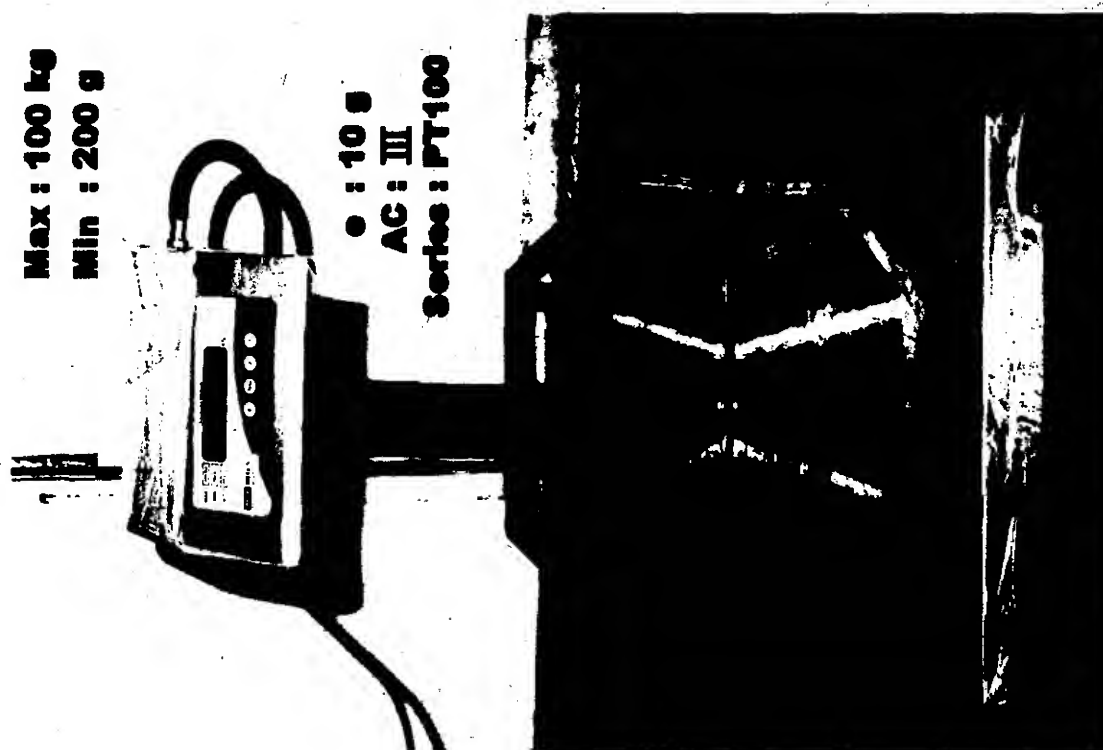
[फा. सं. डब्ल्यू एम-21(132)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2336.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "PT-100" series of medium accuracy (Accuracy class-III) and with brand name "PACKWELL'S" (herein referred to as the said model), manufactured by M/s. Packwell's Automation Company, D-16, J.B. Sawant Bus Stop No. 2, Mandal Compound, Adivasi Pada, Wagle Estate, Thane-400604, Maharashtra and which is assigned the approval mark IND/09/07/292;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 100kg. and minimum capacity of 200g. The verification scale interval (e) is 10g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50kg. and upto 5,000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

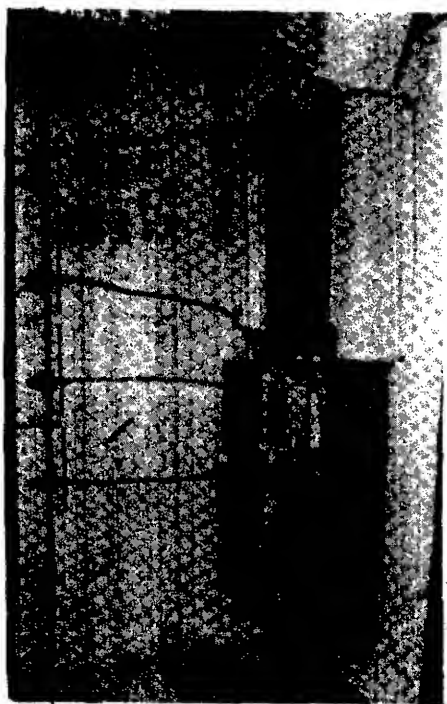
[F.No. WM-21 (132)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2337.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पैकवैल्ज आटोमेशन कम्पनी, डी-16, जे. बी. सावंत बस स्टॉप नं. 2, मण्डल कम्पाउंड, आदिवासी पाडा, वागले इस्टेट, थाने-400604 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) के "पी डब्ल्यू बी 40 एम टी" शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (वेब्रिज प्रकार) जिसके ब्रांड का नाम "पैकवैल्ज" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/293 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वेब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवस्थित धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

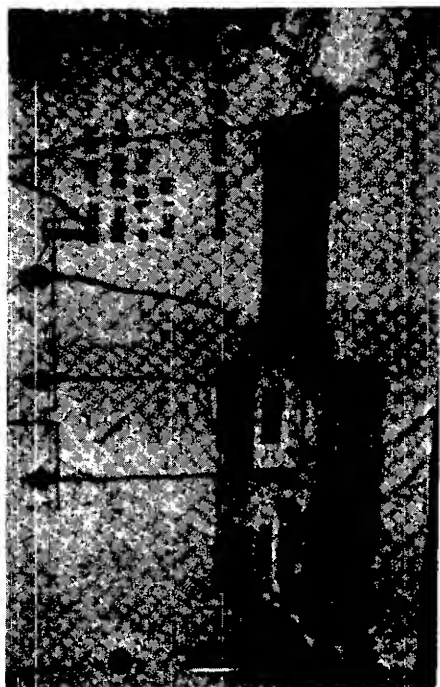
[फा. सं. डब्ल्यू एम-21(132)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2337.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (weighbridge type) with digital indication of "PWB 40 MT" series belonging to medium accuracy (Accuracy class-III) and with brand name "PACKWELL'S" (herein referred to as the said model), manufactured by M/s. Packwell's Automation Company, D-16, J.B. Sawant Bus Stop No. 2, Mandal Compound, Adivasi Pada, Wagle Estate, Thane-400604, Maharashtra and which is assigned the approval mark IND/09/07/293;



The said model is a strain gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 40 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (132)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2338.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

भूतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कोरपे प्रिसिशन, मंजरी रोड, पुणे-411028 महाराष्ट्र द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग IV) के "के टी बी" शृंखला के अस्वचालित, एनालाग सूचन सहित तोलन उपकरण (ट्यूबूलर तुला) जिसके ब्रांड का नाम "कोहिनूर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी /09/07/450 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक स्प्रिंग आधारित अस्वचालित (ट्यूबूलर तुला) तोलन उपकरण है। जिसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्ध किया जाएगा और माडल को उसकी बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा। ट्यूबूलर तुलाओं में तार की सीलिंग नहीं की गई और अपेक्षित तोल को बैलेंसिंग बाक्स में समायोजित किया गया है और परीक्षण के बाद स्टाम्प किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 100 से 1000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(176)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2338.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Tubular Balance) with analogue indication of "KTB" series of ordinary accuracy (Accuracy class-IV) and with brand name "KOHINOOR" (hereinafter referred to as the said model), manufactured by M/s. Korpe Precision, Manjari Road, Punc-411028, Maharashtra and which is assigned the approval mark IND/09/07/450;

The said model is a a spring based non-automatic weighing instrument (Tubular Balance) with a maximum capacity of 20kg and minimum capacity of 1 kg. The verification scale interval (e) is 100g.



Fig.-2 Schematic arrangement of sealing arrangement

The sealing shall be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms in terms of its material, accuracy, design, circuit diagram, working principle etc. No wire sealing is done in tubular balances and required weight is adjusted in the balancing box and is stamped later on after testing.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 1000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

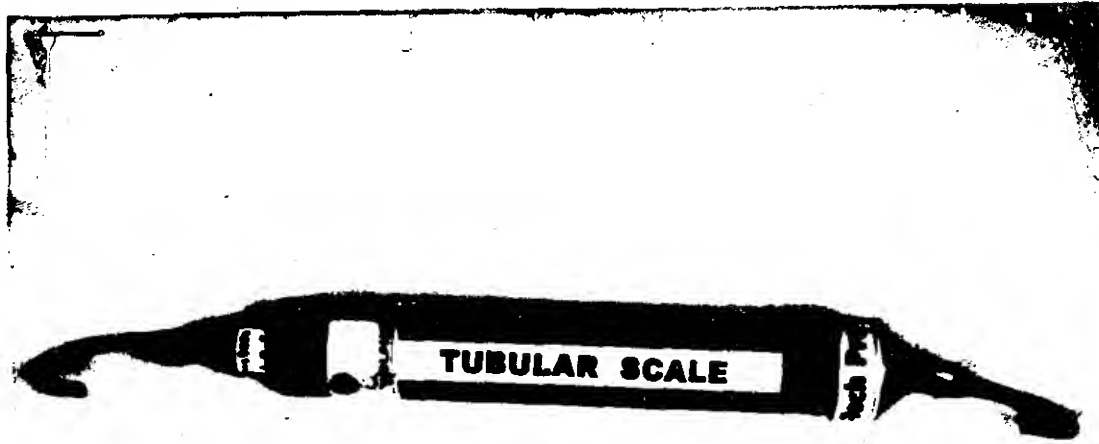
[F. No. WM-21 (176)/2007]

R. MATHURBOOTHAM, Director, Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2339.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स साई हाई-टैक प्रोडक्ट्स, मंजारी (बीके), तालुका हवेली, डिस्ट्रिक्ट-पुणे-412 307 द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग-IV) के "के टी बी" शृंखला के अस्वचालित, एनालॉग सूचन सहित तोलन उपकरण (ट्यूबलर बैलेंस-मैकेनिकल टाइप) जिसके आड का नाम "डॉलफिन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी /09/07/476 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल स्प्रिंग आधारित तोलन उपकरण है जिसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। माप के परिणाम डायल द्वारा उपदर्शित है।

मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथाश्रय, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा। ट्यूबलर तुलाओं में कोई तार सिलिंग नहीं की जाएगी तथा अपेक्षित भारत को तोलन बाक्स में समायोजित किया जाएगा और परीक्षण के उपरांत स्टैम्प लगाई जाएगी।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(181)/2007]

आर. माथुरवृध्मन, निदेशक, विभिन्न माप विभाग

New Delhi, the 27th June, 2008

S.O. 2339.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with analogue indication (Tubular Balance-Mechanical Type) of "DTB" series of ordinary accuracy (Accuracy class-IV) and with brand name "DOLPHIN" (hereinafter referred to as the said model), manufactured by M/s. Sai Hi-Tech Products, Manjari (BK), Taluka Haveli, District Pune-412 307 and which is assigned the approval mark IND/09/07/476;

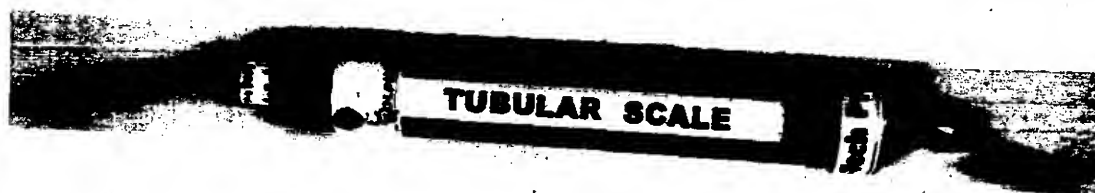


Fig.-2 Schematic arrangement of sealing arrangement

The said model is a spring based non-automatic weight instrument with a maximum capacity of 20kg and minimum capacity of 1 kg. The verification scale interval (e) is 100g. The result of measurement is indicated by a dial.

The sealing shall be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. No wire sealing is done in tubular balances and required weight is adjusted in the balancing box and is stamped later on after testing.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 1000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

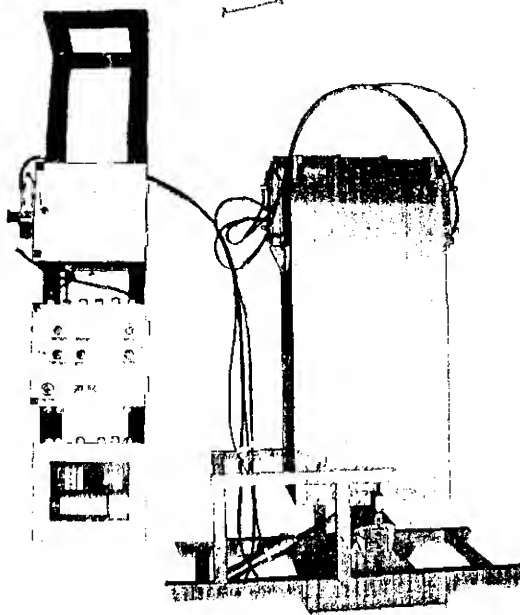
[F. No. WM-21 (181)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2340.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एवरी इण्डिया लि., प्लॉट नं. 50-54, सेक्टर-25, बल्लभगढ़-121 004, हरियाणा द्वारा विनिर्मित यथार्थता वर्ग-X(1) वाले 'पी सी रिफिनेट वेयर्स' शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्राण्ड का नाम 'एवरी' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/07/311 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 100 किलोग्राम है। इसका अधिकतम भरण दर 20 लोड प्रति मिनट है। मशीन को गेहूं, चावल, सेरामिक, चाय पत्ती, रेत, सोमेट, रेफेक्ट्री आदि जैसे फ्री फ्लोविंग मदों को भरने के लिए डिजाइन किया गया है। लिक्विड उत्सर्जक प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा 15 किलोग्राम से 5000 किलोग्राम की रेंज में उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे।

[फा. सं. डब्ल्यू.एम. 21(141)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विभाग

New Delhi, the 27th June, 2008

S.O. 2340.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument belonging to accuracy class X(1) of 'P series Net Weighers' series with brand name "AVERY" (herein referred to as the said Model), manufactured by M/s. Avery India Ltd, Plot No. 50-54, Sector-25, Ballbhgarh-121 004, Haryana and which is assigned the approval mark IND/09/07/311;

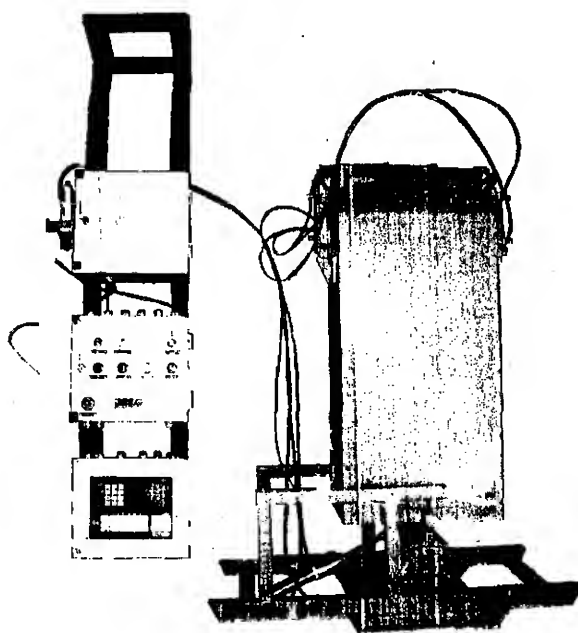


Fig.-2 Schematic arrangement of sealing arrangement

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. Its maximum capacity is 100kg. Its maximum fill rate is 20 load per minute. The machine is designed for filling the free flowing items like wheat, rice, ceramic, tea, sand, cement, refractory etc. The liquid crystal (LCD) display indicates the weighing result. The instruments operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 15kg to 5000kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approval model has been manufactured.

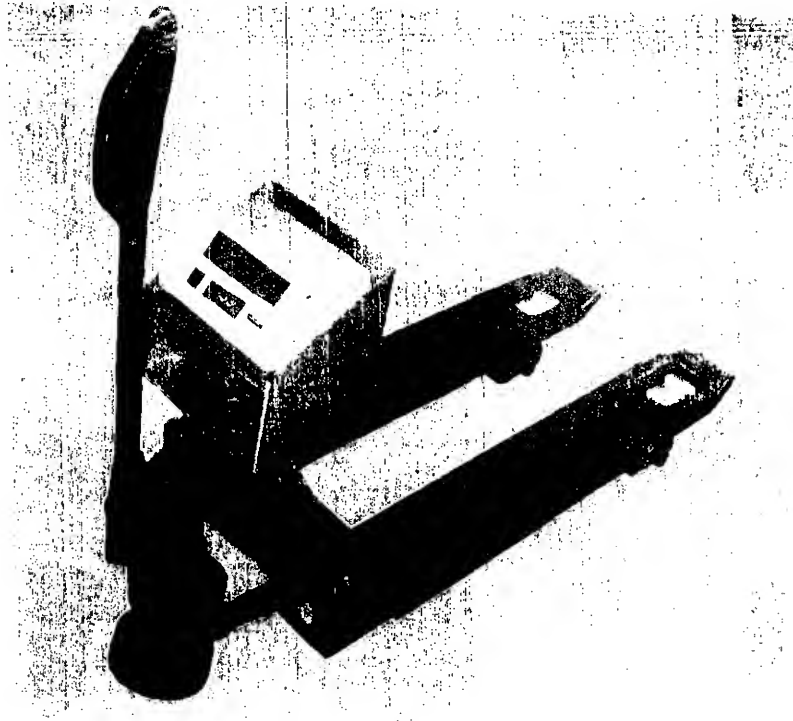
[F. No. WM-21 (141)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2341.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नीतिराज इंजीनियर्स प्रा.लि., 306-ए, भाभा विलिडिंग, एन.एम. जोशी मार्ग, डेलीसल रोड, मुंबई-400 011 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पी पी टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (पैलेट ट्रक प्रकार) के मॉडल का, जिसके ब्रांड का नाम "फोनिक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/07/241 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 2000 कि.ग्रा. है और न्यूनतम क्षमता 10 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदेशित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 10,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

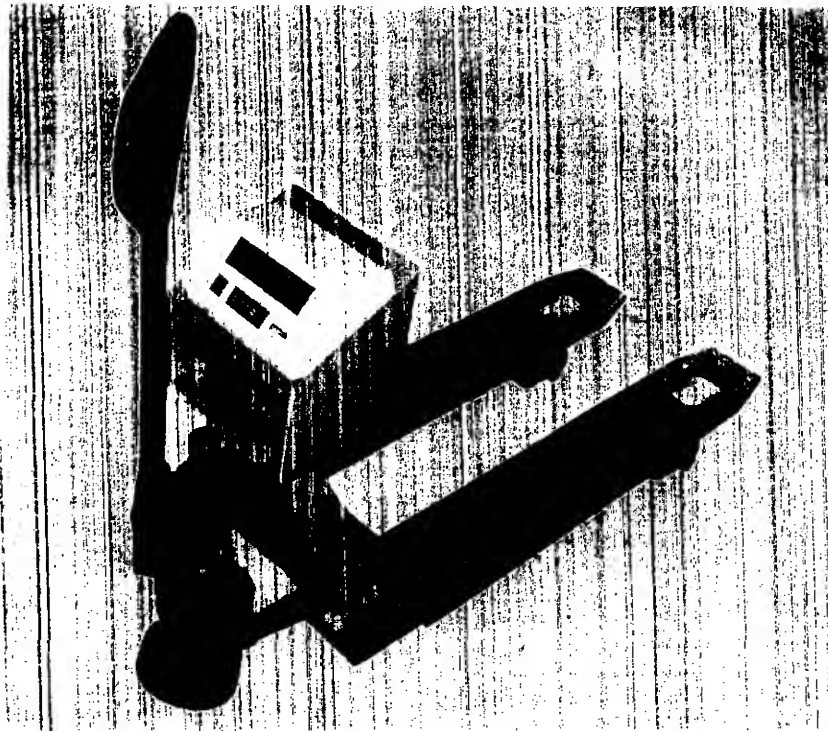
[फा. सं. डब्ल्यू.एम. 21(96)/2007]

आर. माधुगुप्त, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2341.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the non-automatic (Pallet Truck Type) weighing instrument with digital indication of "PPT" series of medium accuracy (Accuracy class-III) and with brand name "PHOENIX" (herein referred to as the said model), manufactured by M/s. Nitiraj Engineers Pvt. Ltd., Industrial Plot No. 41, Sector-2, Gabriel Road, Parwanoo-173 220, Tah.: Kasauli, Distt.: Solan, H. P. and which is assigned the approval mark IND/09/07/241;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity is 2000kg. and minimum capacity of 10kg. The verification scale interval (e) is 500g. It has a tare device with 100 per cent subtractive retained tare effect. The result of measurement is indicated by Light Emitting Diode (LED). The instrument operates on 230Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 10,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

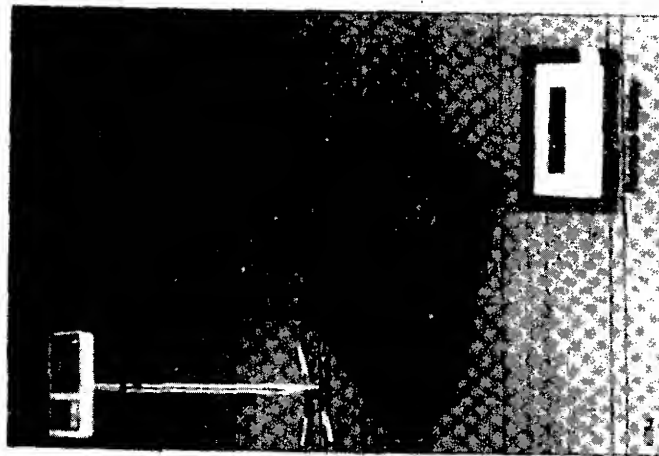
[F. No. WM-21 (96)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2342.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मिंडास इंस्ट्रुमेंट्स, कमर्शियल प्वाइंट, 79, लेनिन सारनी (रूम नं. बी6ए), कोलकाता-700 013 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले 'एम आई पी' शृंखला के स्वतः सूचक, अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मिंडास" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/07/309 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति जिसका शत प्रतिशत व्यकलनात्मक आधारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 क्यू.ए प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , क हैं, जो धनात्मक या ऋणात्मक धूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम. 21(98)/2007]

आर. माथुरचन्द्र, निदेशक, विधिक माप विभाग

New Delhi, the 27th June, 2008

S.O. 2342 .—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of the self indicating, non-automatic (Platform Type) weighing instrument with digital indication of "MIP" series of medium accuracy (Accuracy class-III) and with brand name "MIDAS" (hereinafter referred to as the said model), manufactured by M/s. Midas Instruments, Commercial Point, 79, Lenin Sarani (Room B6A), Kolkata-700 013 and which is assigned the approval mark IND/09/07/309;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 500kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instruments operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50 kg. and upto 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

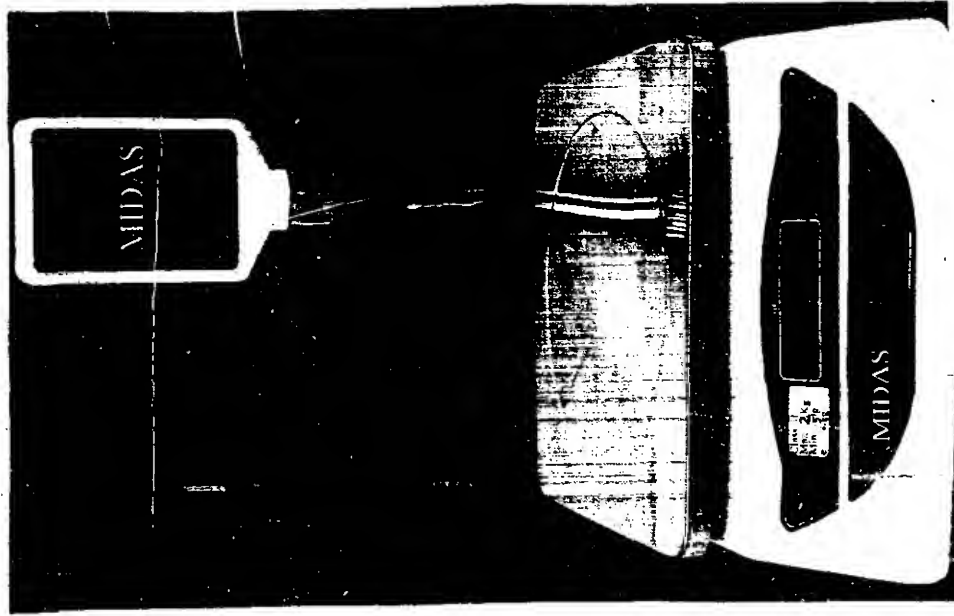
[F.No. WM-21 (98)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2343.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप धारा (7) और उप धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स मिडास इंस्ट्रूमेंट्स, कमर्शियल प्वाइंट, 79, लेनिन सारनी (रूम नं. बी 6ए), कोलकाता-700 013 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एम आई टी" शृंखला के अंकक सूचक सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मिडास" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/07/308 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 2 कि. ग्रा. और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती द्वारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

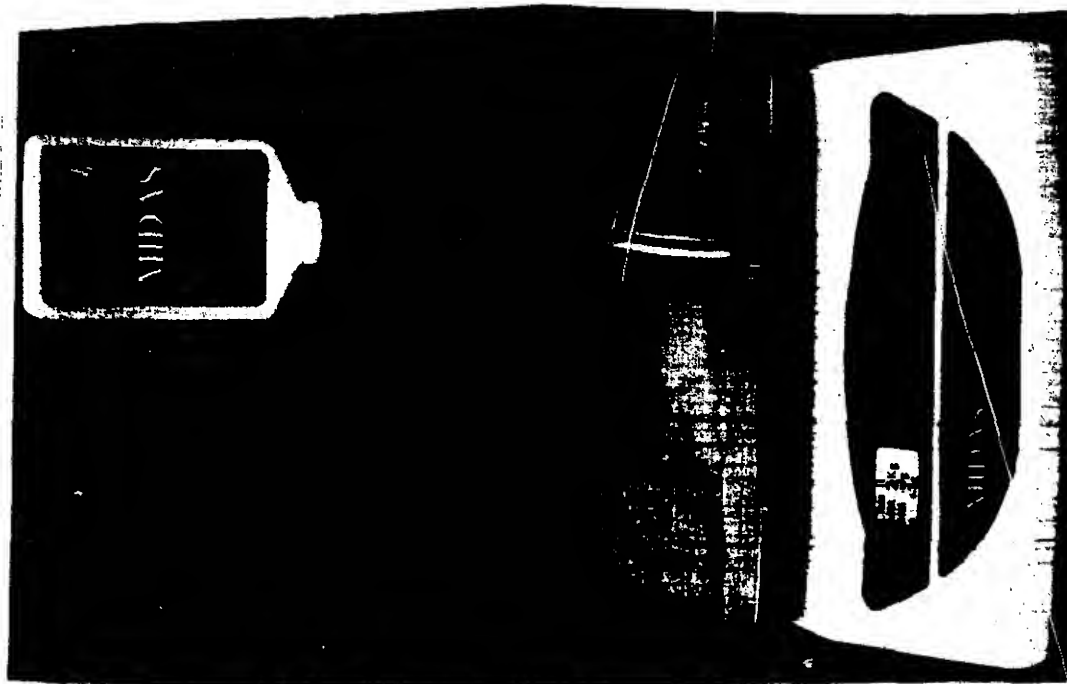
[फा. सं. डब्ल्यू.एम-21(98)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2343.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "MIT" series of high accuracy (Accuracy class-II) and with brand name "MIDAS" (herein referred to as the said model), manufactured by M/s. Midas Instruments, Commercial Point, 79, Lenin Sarani (Room B 6A), Kolkata-700 013 and which is assigned the approval mark IND/09/07/308.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 2 kg. and minimum capacity of 5 g. The verification scale interval (e) is 0.1 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

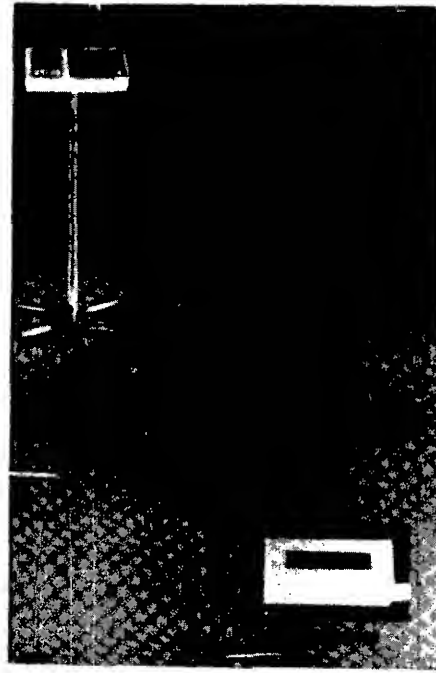
[F. No. WM-21(98)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2344.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एम्. आर्. इंटरनेशनल, 10, कबि सुकांता लेन, स्तोषपुर, कोलकाता-700 075 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एम आर आई पी" शृंखला के स्वतः सूचक, अंकक सूचन सहित अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम 'एम आर आई' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/207 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है ;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका उक्त प्रतिष्ठा व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

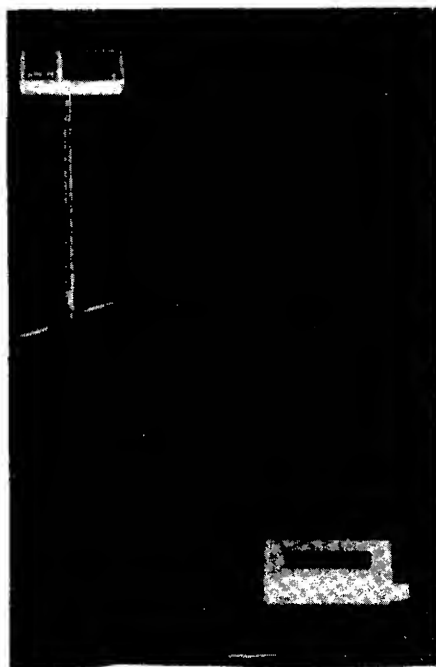
[फा. सं. डब्ल्यू एम-21(92)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2344 .—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "MRIP" series of medium accuracy (Accuracy class-III) and with brand name "MRI" (herein referred to as the said model), manufactured by M/s. M. R. International, 10, Kabi Sikanta Lane, Santoshpur, Kolkata-700 075 and which is assigned the approval mark IND/09/07/207 ;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 500 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and upto 5,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(92)/2007]

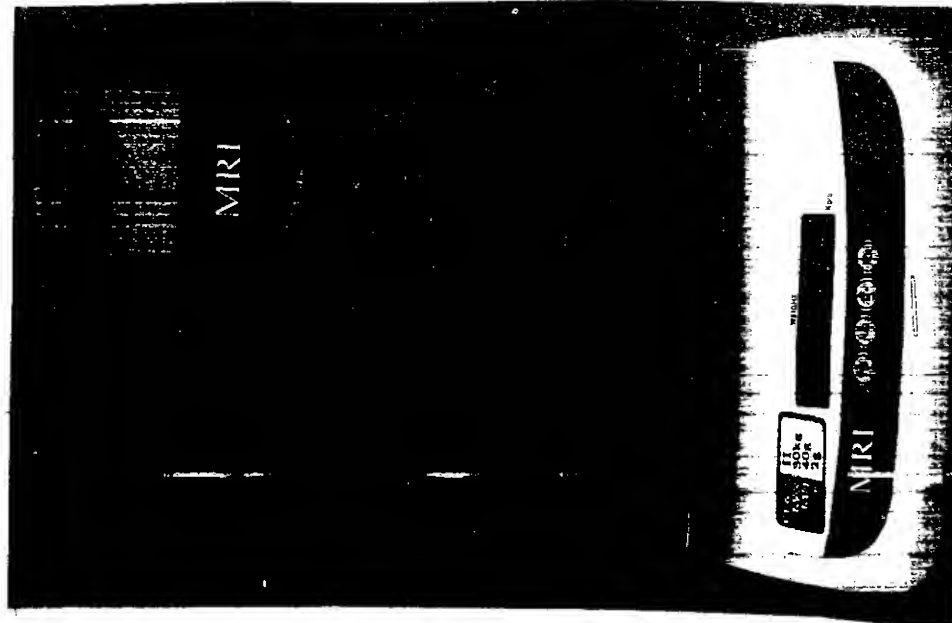
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2345.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एम. आर. इंटरनेशनल, 10, बी सुकांता लेन, संतोषपुर, कोलकाता-700 075 द्वारा विनिर्मित उक्त यथार्थता (यथार्थता वर्ग II) वाले "एम आर आई टी" शृंखला के अंकक सूचन सहित अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम 'एम आर आई' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी:09/07/2006 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डिस्प्ले (एल ई डी) प्रदर्शकालन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक 'ई' मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के 'ई' मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^6 , 2×10^6 , 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(92)/2007।

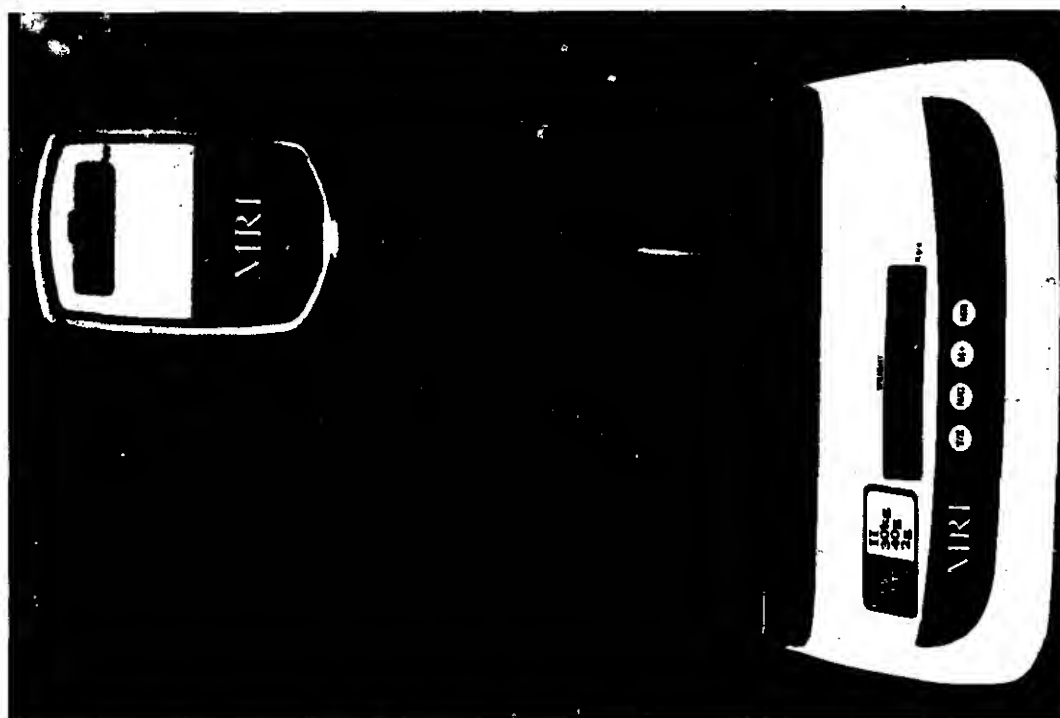
आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2345.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "MRIT" series of high accuracy (Accuracy class-II) and with brand name "MRI" (herein referred to as the said model), manufactured by M/s. M. R. International, 10, Kabi Sikanta Lane, Santoshpu., Kolkata-700 075 and which is assigned the approval mark IND/09/07/206 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same Manufacturer in accordance with principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(92)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 27 जून, 2008

का.आ. 2346.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए 'मैसर्स रेवाधी इक्विपमेंट लि. पोलाछी रोड, मलूमकमपट्टी-पी.ओ. कोयम्बतूर-641 021 द्वारा विनिर्मित मध्यम यथार्थता वर्ग-I वाले "सी ई-30" शृंखला के डिस्कॉन्टिन्युअस टोटलाइजिंग अटोमेटिक तोलन उपकरण (हुपर व्हीयर प्रकार) के मॉडल का, जिसके ब्रांड का नाम 'रेवाधी विगर्ट' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/07/200 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉन्टिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (हुपर व्हीयर टाइप) है। इसकी अधिकतम क्षमता 2000 कि. ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है और टोटलाइजेशन स्केल अंतराल 1 कि.ग्रा. है। उक्त मॉडल 100 ग्रा. के स्थापन मापमान अंतराल के साथ-साथ अधिकतम 500 कि.ग्रा. क्षमता वाले नियंत्रित इंडिकेटर के साथ भी जुड़ा हुआ है। उक्त मशीन को सीमेंट, रेत, पानी, जेली, एडीटिव्स आदि जैसे निर्माण उद्योगों में विभिन्न ईग्रिडेंट्स को तोलने के लिए बनाया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करना है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्रांपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को विक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 20,000 कि.ग्रा. तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(82)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2008

S.O. 2346.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Discontinuous Totalizing Automatic Weighing Instrument (Hopper Weigher type) belonging to accuracy class-I of 'CE-30' series with brand name "Revathi Wiggert" (herein referred to as the said model) manufactured by M/s. Revathi Equipment Ltd., Polachi Road, Malumachampatti P.O., Coimbatore-641 021, Tamil Nadu and which is assigned the approval mark IND/09/07/200.

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic Weighing Instrument (Hopper Weigher type). Its maximum capacity to be weighed is 2000 kg. minimum capacity is 200 kg. and the totalization scale interval is 1 kg. The said model is also attached with a controlled indicator of maximum capacity 500 kg. along with verification scale interval of 100 g. The machine is designed to weigh the various ingredient in construction industries like cement, sands, water, jelly, additives etc. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacity up to 20,000 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (82)/2007]

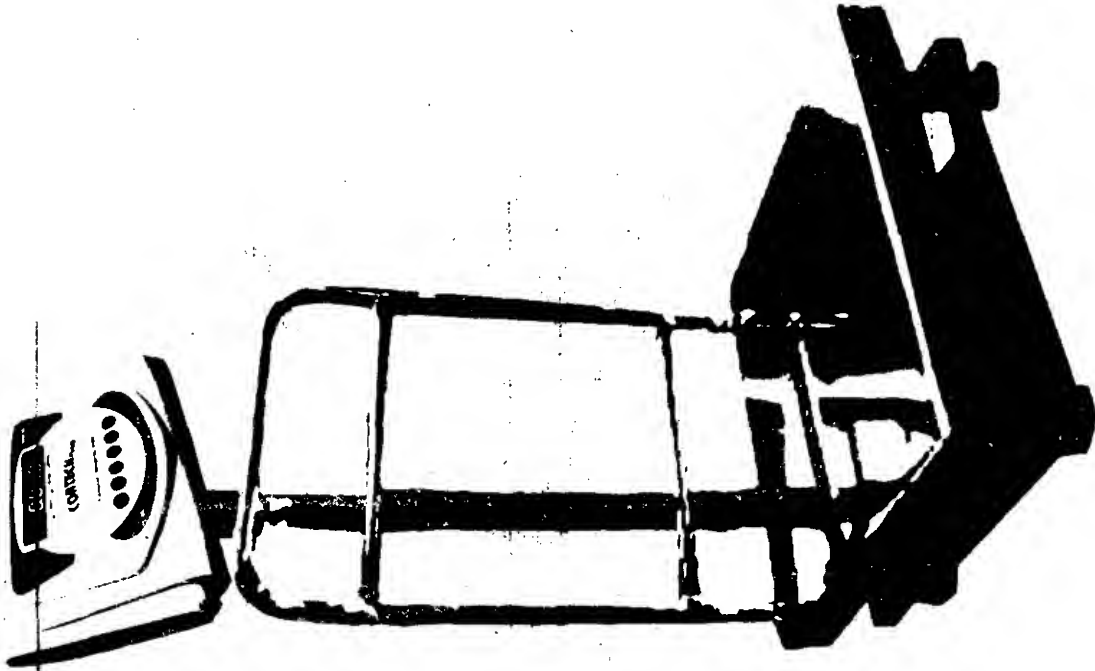
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 जून, 2008

का.आ. 2347.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स कांटेक इंस्ट्रूमेंट्स कं., 103, प्रेरणा सागर अपार्टमेंट, शास्त्री नगर मेन रोड, जयपुर, राजस्थान द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कांटेक प्लस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/2008/81 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज अपरूपण तुलादण्ड प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 250 कि. ग्रा. है और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन के सूचक के दाईं तरफ कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए स्टॉपिंग प्लेट पर सीसे से सील बंद किया जाएगा। सील करने के तार को शीर्ष पूर्ण पेच द्वारा आधार पर तथा तुला स्केल के सूचक के कवर में डाली जाएगी तथा उसके बाद सील की जाएगी। सूचकों को तोड़े बिना उपकरण को नहीं खोला जा सकेगा। मॉडल को सीलबंद करने के उपबंध का एक पारस्परिक योजनाबद्ध डाइग्राम उपरोक्त दिशा में है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करता है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से निर्मित उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णतया शून्य के समतुल्य हैं।

(का. सं. डब्ल्यू एम 21(45) 2008)

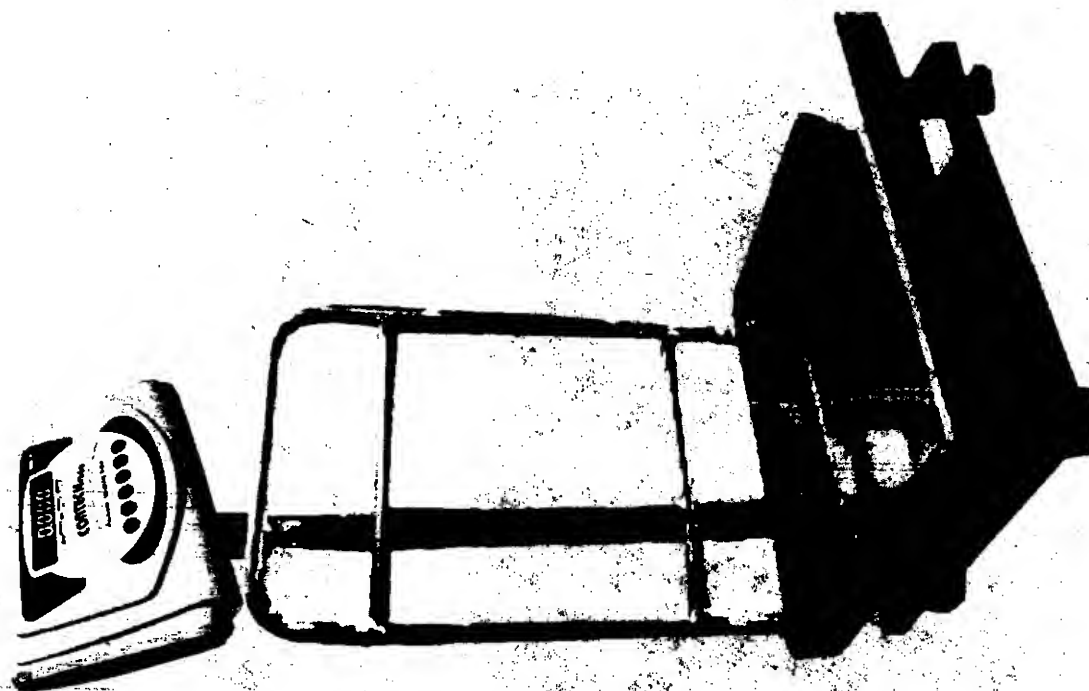
आर. विश्वरूपधर, निदेशक, विधिक माप तालिका

New Delhi, the 30th June, 2008

S.O. 2347.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "CP" and with brand name "CONTECH PLUS" (hereinafter referred to as the said model), manufactured by M/s. Contech Instruments Co., 103, Prema Sagar Apartment, Shastri Nagar, Main Road, Jaipur, Rajasthan and which is assigned the approval mark IND/09/08/81.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 250kg. and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Lead sealing is affixed on the stamping plate to avoid fraudulent use at the right side of the indicator of the weighing scale. Sealing wire is passed through the head whole screw at the base and cover of the indicator of the weighing scale and then lead seal is applied. The instrument can not be opened without breaking the seals. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (45)/2008]

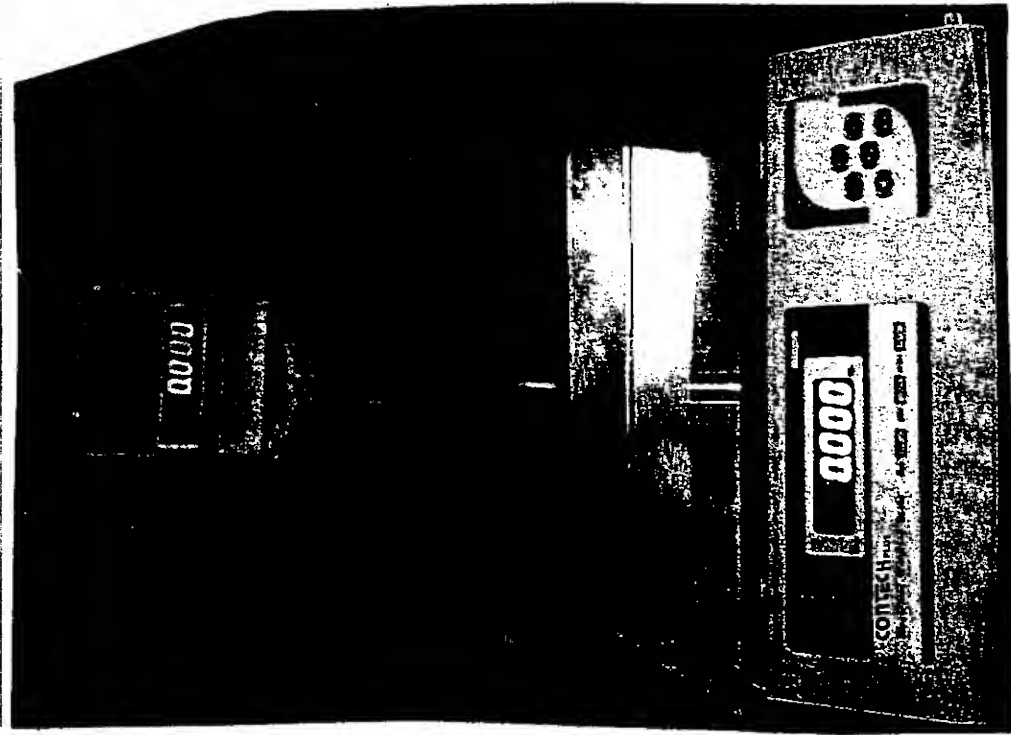
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 जून, 2008

क्रा.आ. 2348.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मन्त्रालय (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उभययुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स क्रांटिक इंस्ट्रुमेंट्स कं., 103, प्रेरणा सागर अपार्टमेंट, शास्त्री नगर मेन रोड, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "सी जे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन-उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "क्रांटिक प्लेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/2008/80 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज अप्ररूपण तुलादण्ड प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 250 ग्राम है। सत्यापन मापमान अंतराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलानात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डिजिटल (एल ई डी) प्रदर्शक तोलन परिणाम उद्घोषित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन के दाईं तरफ कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए स्टॉपिंग प्लेट पर सीसे से सील बंद किया जाएगा। सील करने के तार को शीर्ष पूर्ण पेच द्वारा आधार पर तथा तुला स्केल के कवर में डाली जाएगी तथा उसके बाद सील की जाएगी। सीलों को तोड़ने के लिए उपकरण को नहीं खोला जा सकेगा। मॉडल को सीलबंद करने के उपबंध का एक प्रारूपी योजनाबंद डाइग्राम उपरोक्त दिया गया है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्राम से 50 मि.ग्राम तक 'ई' मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्राम या उससे अधिक के 'ई' मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(45)/2008]

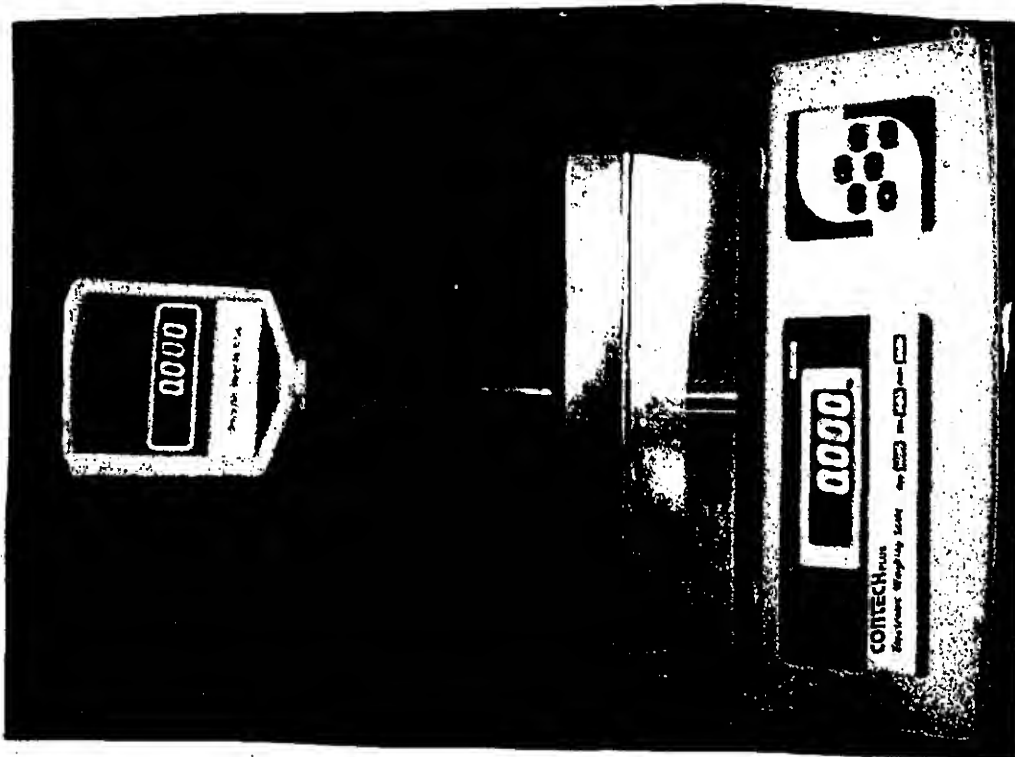
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th June, 2008

S.O. 2348.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "CJ" and with brand name "CONTECH PLUS" (hereinafter referred to as the said model), manufactured by M/s. Contech Instruments Co., 103, Prerna Sagar Apartment, Shastri Nagar Main Road, Jaipur, Rajasthan and which is assigned the approval mark IND/09/08/80.

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 250g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Lead sealing is affixed on the stamping plate to avoid fraudulent use at the right side of the weighing scale. Sealing wire is passed through the head hole screw at the base and cover of the weighing scale and then lead seal is applied. The instrument cannot be opened without breaking the seals. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value 1 mg. to of 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where 'k' is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (45)/2008]

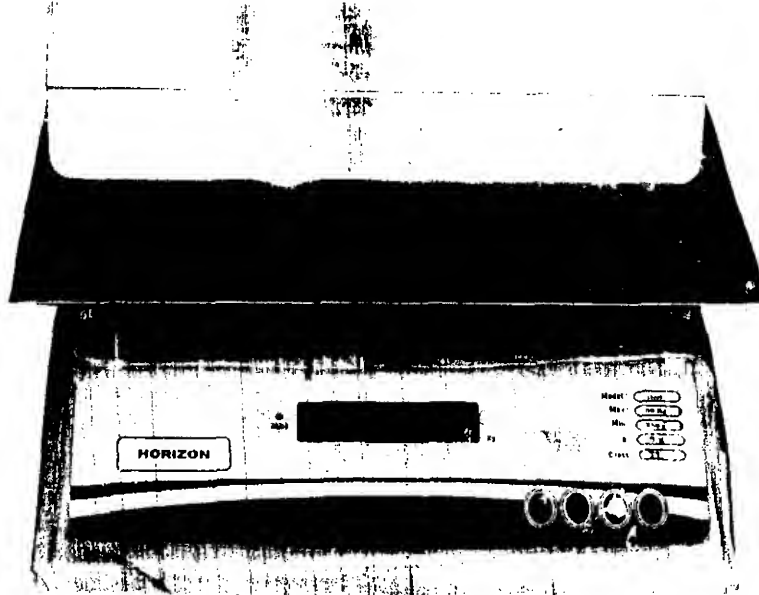
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 जून, 2008

का.आ. 2349.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने की पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स होरीजॉन पैडिंग सोल्यूशन्स, नं. 8/33/ए/516, स्ट्रीट नं. 37, साध नगर, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एच डब्ल्यू टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "होरीजॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/08/165 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्राम है। इसमें एक एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन को आधार और ऊपरी ढांचे को सील करने के तार से सील बंद करने के अतिरिक्त विपरीत कोने की स्टड पर प्राधिकारी द्वारा सत्यापन स्टाम्प को पंच करने के कारण खोला नहीं जा सकेगा। मॉडल को सीलबंद करने के उपबंध का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जं 1 मि. ग्राम से 50 मि.ग्रा. तक के 'ई' मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के 'ई' मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(64)/2008]

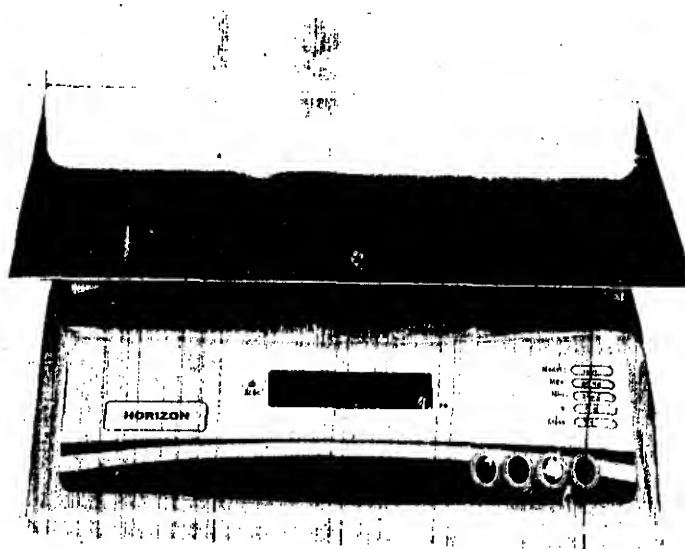
आर. माथुरचूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th June, 2008

S.O. 2349.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "HWT" and with brand name "HORIZON" (hereinafter referred to as the said model), manufactured by M/s. Horizon Weighing Solutions, No. 8/33/A/516, Street No. 37, Sadh Nagar, Palam Colony, New Delhi-110045 and which is assigned the approval mark IND/09/08/165.

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



The machine cannot be opened since the base and upper body of the machine is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched by the Authority. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(64)/2008]

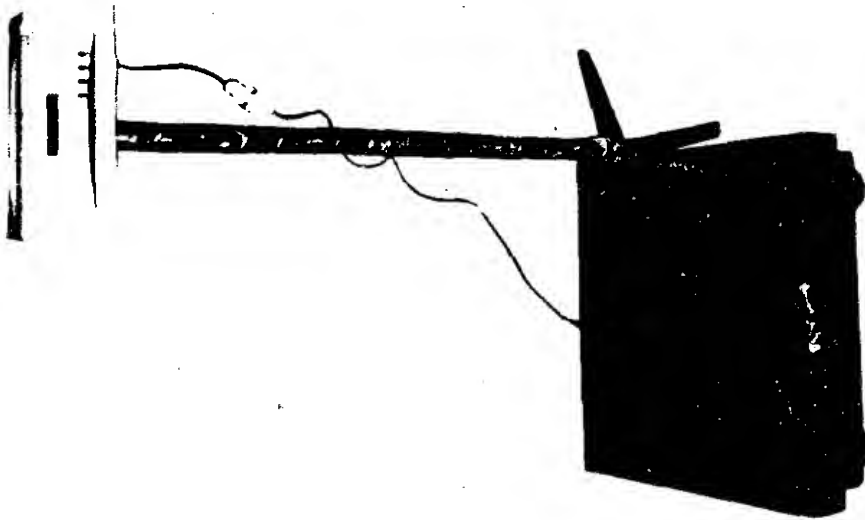
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 जून, 2008

का.आ. 2350.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स होरीजॉन वेडिंग सोल्यूशन्स, नं. 8/33/ए/516, स्ट्रीट नं. 37, साध नगर, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एच डब्ल्यू टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "होरीजॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी /09/08/163 सम्मोदित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन (प्लेट फार्म प्रकार) उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तित्वनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन को आधार और ऊपरी ढांचे को सील करने के तार से सील बंद करने के अतिरिक्त विपरीत कोने की स्ट्रुट पर प्राधिकारी द्वारा सत्यापन स्टाम्प को पंच करने के कारण खोला नहीं जा सकेगा। मॉडल को सीलबंद करने के उपबंध का एक प्रारूपी योजनाचंद्र डायग्राम उपरोक्त दिया गया है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करता है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से विनिर्मित उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण को सील को 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(64):2008]

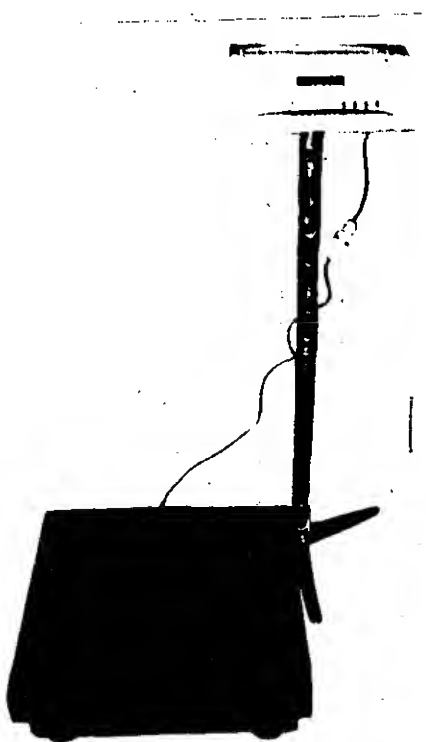
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th June, 2008

S.O. 2350.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "HWP" and with brand name "HORIZON" (hereinafter referred to as the said model), manufactured by M/s. Horizon Weighing Solutions, No. 8/33/A/516, Street No. 37, Sadh Nagar, Palam Colony, New Delhi-110045 and which is assigned the approval mark IND/09/08/164.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



The machine can not be opened since the base and upper body of the indicator is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched by the Authority. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5,000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (64)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 29 जुलाई, 2008

का.आ. 2351.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये है :

अनुसूची

| क्रम संख्या | संशोधित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक | संशोधन की संख्या और तिथि | संशोधन लागू होने की तिथि |
|-------------|--|--------------------------|--------------------------|
| (1) | (2) | (3) | (4) |
| 1 | आईएस 14797 : 2000 प्रगलन अपचयन (चैकलिपक लौह निर्माण) प्रक्रियाओं का वर्गीकरण | संशोधन संख्या 1 जून 2008 | 30 जून, 2008 |

इन संशोधनों की प्रतियाँ भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बरूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 30/टी-23]

डॉ. (श्रीमति) स्नेह भाटला, वैज्ञानिक एफ एवं प्रमुख (एमटीडी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 29th July, 2008

S.O. 2351.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

| Sl. No. | No. & Year of the Indian Standard (s) amendment (s) | No. & year of the amendment | Date from which the amendment shall have effect |
|---------|--|-----------------------------|---|
| (1) | (2) | (3) | (4) |
| 1 | IS 14797 : 2000 Classification of smelting reduction (Alternate Iron Making) Processes | Amendment No. 1 June 2008 | 30th June, 2008 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Knapur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 30/I-23]

Dr. (Mrs.) SNEH BHATLA, Scientist 'F' & Head (Met. Engg)

नई दिल्ली, 30 जुलाई, 2008

का.आ. 2352.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

| क्रम संख्या | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक | नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|-------------|---|---|--------------|
| (1) | (2) | (3) | (4) |
| 1 | आईएस/आईईसी 60730-1: 1999 घरेलू और ऐसे प्रयोजनों हेतु स्वचालित विद्युत नियंत्रक : भाग 1 सामान्य अपेक्षाएँ | — | 31 मई, 2008 |

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कायम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 32/टी-121]

पी. के. मुखर्जी, वैज्ञानिक एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 30th July, 2008

S.O. 2352.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

| Sl. No. | No. & Year of the Indian Standards | No. & year of the Indian Standards, if any, superseded by the New Indian Standard | Date of Established |
|---------|--|---|---------------------|
| (1) | (2) | (3) | (4) |
| 1 | IS/IEC 60730-1: 1999 Automatic Electrical Controls for Household and Similar Use: Part 1 General Requirements | — | 31st May, 2008 |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET 32/F-121]

P. K. MUKHERJI, Scientist 'F' & Head (Electro-technical)

नई दिल्ली, 8 अगस्त, 2008

का.आ. 2353.—केंद्रीय सरकार, भारतीय मानक ब्यूरो अधिनियम, 1986 (1986 का 63) की धारा 7 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री शरद गुप्ता, भा.प्र.से. (ए.एम: 77) को 5 अगस्त, 2008 (पूर्वाह्न) से तीन वर्ष की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, 22,400-525-24,500 रुपये के वेतनमान में भारतीय मानक ब्यूरो के महानिदेशक के पद पर नियुक्ति करती है।

[संख्या 2/3/2008-बी आई एस]

किशन पाल, अवर सचिव

New Delhi, the 8th August, 2008

S.O. 2353.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Bureau of Indian Standards Act, 1986 (63 of 1986), the Central Government hereby appoints Shri Sharad Gupta, IAS (AM:77) as Director General in Bureau of Indian Standards in the scale of pay of Rs. 22,400-525-24,500 with effect from 5th August, 2008 (Forenoon) for a period of three years or until further orders whichever is earlier.

[No. 2/3/2008-BIS]

KISHAN PAL, Under Secy.

कोयला मंत्रालय

शुद्धि-पत्र

नई दिल्ली, 18 अगस्त, 2008

का.आ. 2354.—केंद्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 1026 जो भारत के राजपत्र, भाग 2, खंड 3, उप-खण्ड (ii), तारीख 10 मई, 2008 में प्रकाशित की गई थी का हिन्दी रूपांतरण का संशोधन करती है, अर्थात:—

उक्त अधिसूचना की—

(1) तालाबिरा ग्राम (भाग) में अर्जित किये जाने वाले प्लेटों की संख्या उप-शीर्षक में—

पृष्ठ 2120 में—

- (i) "212, 113, 214, 115, 116, 217" प्रविष्टि के स्थान पर "212, 213, 214, 215, 216, 217" प्रविष्टि रखी जाएगी।
- (ii) "260, 261, 261, 263" प्रविष्टि के स्थान पर "260, 261, 262, 263" प्रविष्टि रखी जाएगी।
- (iii) 2199 के बाद "2000" प्रविष्टि के स्थान पर "2200" प्रविष्टि रखी जाएगी।

पृष्ठ 2121 में—

- (ii) "2251, 2474" प्रविष्टि के स्थान पर "2251/2474" प्रविष्टि रखी जाएगी।
- (iii) "195/2492" प्रविष्टि के स्थान पर "2195/2492" प्रविष्टि रखी जाएगी।

(iv) "2412/599" प्रविष्टि के स्थान पर "2412/2599" प्रविष्टि रखी जाएगी।

(v) "228/271" प्रविष्टि के स्थान पर "228/2718" प्रविष्टि रखी जाएगी।

(vi) "2382/2809-2276/2810" प्रविष्टि के स्थान पर "2382/2809 एवं 2276/2810" प्रविष्टि रखी जाएगी।

(2) खिंडा ग्राम (भाग) में अर्जित किये जाने वाले प्लेटों की संख्या उप-शीर्षक (पृष्ठ 2121) में—

(i) "666" प्रविष्टि के स्थान पर "666 (भा)" प्रविष्टि रखी जाएगी।

(ii) "1370/2451" प्रविष्टि के स्थान पर "1370/2451 (भा)" प्रविष्टि रखी जाएगी।

(3) आईबी ब्लॉक-XIII (तालाबिरा-II) का सीमा वर्णन शीर्षक के अधीन (पृष्ठ 2122) "ज से क" शीर्षक में—

(i) "1400, 1401, 1408" के प्रविष्टि के स्थान पर "1400, 1401, 2408" प्रविष्टि रखी जाएगी।

[फा. संख्या-43015/2/2007 पी आर आई डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

CORRIGENDUM

New Delhi, the 18th August, 2008

S.O. 2354.—In exercise of power conferred by sub-section (1) of section 7 of Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby amends the English version of the notification of the Government of India, Ministry of Coal, published in the Gazette of India, Part-II Section 3, Sub-section (ii) dated 10th May 2008, vide number S.O. 1026, namely:—

1. In page number 2124 of the notification, under the heading at serial number 1 Plot numbers to be acquired in village Talabira (Part) -

- (i) plot number "162" shall be inserted in between plot numbers "161 and 163"
- (ii) in place of plot number "113", plot number "213" shall be substituted.
- (iii) in place of repeated entry of plot numbers "261, 261", plot numbers "261, 262" shall be substituted.
- (iv) in place of plot number "238", plot number "338" shall be substituted.
- (v) in place of plot numbers 2195/2491, 195/2492, 2195/2493, 242, 2494, 2218/2498 (P)", plot numbers "2195/2491, 2195/2492, 2195/2493, 242/2494, 2218/2498 (P)" shall be substituted.
- (vi) in place of plot number "21399/2551", plot number "2399/2551" shall be substituted.
- (vii) in place of repeated entry of plot numbers "185/2713, 185/2713", plot number "185/2713, 185/2714" shall be substituted.

2. In page number 2125 of the notification, under the heading at serial number 2 Plot numbers to be acquired in village: Khainda (Part)—

- (i) the Village name “Khainda (Part)” shall be substituted by “Khinda (Part)”
(ii) in place of plot number “oa 1370/2451”, Plot number “1370/2451 (P)” shall be substituted.

[F.No. 43015/2/2007-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 8 अगस्त, 2008

का.आ. 2355.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में “आरए # 6 आरए # 3 तक बरास्ता आरए # 1ए” पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:—

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों को उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर. ओ. यू. पाइप लाइन : आर. ए # 6 से आर. ए # 3 से बया

आर. ए # 1

| राज्य : आंध्र प्रदेश | | मंडल : अमालापुरम | | | | |
|----------------------|-----------|------------------|-----------|------|---------|--|
| जिला : पूर्व गोदावरी | | गांव : समानसा | | | | |
| आर.एस.नं | हेक्टेर्स | एर्स | सेन्टेर्स | एकड़ | सेन्ट्स | |
| 1 | 2 | 3 | 4 | 5 | 6 | |
| 28/11 ए पी | 0 | 03 | 5 | 0 | 095 | |
| 28/11ए पी | 0 | 00 | 5 | 0 | 005 | |
| 28/10 बी पी | 0 | 05 | 0 | 0 | 12 | |

| 1 | 2 | 3 | 4 | 5 | 6 |
|----------------|----------|-----------|----------|----------|------------|
| 29/1पी | 0 | 04 | 5 | 0 | 11 |
| 29/2पी | 0 | 05 | 0 | 0 | 12 |
| 27/पी | 0 | 01 | 0 | 0 | 02 |
| 30/पी | 0 | 01 | 0 | 0 | 02 |
| 26/7पी | 0 | 03 | 5 | 0 | 09 |
| 26/6पी | 0 | 02 | 0 | 0 | 05 |
| 26/5पी | 0 | 05 | 5 | 0 | 14 |
| 13/2पी | 0 | 04 | 5 | 0 | 11 |
| 13/1पी | 0 | 04 | 5 | 0 | 11 |
| 12/5बीपी | 0 | 05 | 0 | 0 | 12 |
| 12/4पी | 0 | 05 | 0 | 0 | 12 |
| 11/5सीपी | 0 | 01 | 0 | 0 | 03 |
| 11/5बीपी1 | 0 | 01 | 0 | 0 | 025 |
| 11/5बीपी2 | 0 | 01 | 0 | 0 | 025 |
| 11/4बीपी1 | 0 | 01 | 0 | 0 | 035 |
| 11/4बीपी2 | 0 | 01 | 0 | 0 | 02 |
| 11/3बीपी | 0 | 01 | 0 | 0 | 05 |
| 11/3एपी1 | 0 | 01 | 0 | 0 | 02 |
| 11/3एपी2 | 0 | 02 | 5 | 0 | 06 |
| 11/3एपी3 | 0 | 01 | 0 | 0 | 02 |
| 10/5पी | 0 | 04 | 5 | 0 | 11 |
| 10/4पी1 | 0 | 01 | 5 | 0 | 04 |
| 10/4पी2 | 0 | 03 | 0 | 0 | 07 |
| 10/3पी | 0 | 04 | 5 | 0 | 11 |
| 9/4पी | 0 | 02 | 0 | 0 | 05 |
| 9/3ईपी | 0 | 04 | 5 | 0 | 11 |
| 9/5बीपी | 0 | 05 | 5 | 0 | 13 |
| 9/6पी | 0 | 00 | 5 | 0 | 01 |
| कुल योग | 0 | 86 | 0 | 2 | 125 |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 662 | 0 | 25 | 0 | 0 | 62 |
| 650/2 | 0 | 18 | 5 | 0 | 46 |
| 649/पी2 | 0 | 02 | 5 | 0 | 06 |
| 649/पी1 | 0 | 05 | 5 | 0 | 13 |
| 610/पी2 | 0 | 09 | 5 | 0 | 24 |
| 610/पी1 | 0 | 04 | 0 | 0 | 10 |
| 609/1पी2 | 0 | 06 | 0 | 0 | 15 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|----------|---|----|---|---|-----|
| 609/2पी2 | 0 | 00 | 5 | 0 | 005 |
| 609/1पी1 | 0 | 10 | 0 | 0 | 25 |
| 609/2पी1 | 0 | 02 | 5 | 0 | 06 |
| 608/1पी | 0 | 03 | 0 | 0 | 08 |
| 608/2पी | 0 | 00 | 5 | 0 | 005 |
| 604/पी | 0 | 01 | 0 | 0 | 03 |
| 603/5पी | 0 | 01 | 0 | 0 | 02 |
| 603/8पी | 0 | 06 | 0 | 0 | 15 |
| 602/पी | 0 | 01 | 5 | 0 | 04 |
| 599/2पी1 | 0 | 10 | 5 | 0 | 26 |
| 599/2पी2 | 0 | 01 | 5 | 0 | 04 |
| 599/2पी3 | 0 | 02 | 5 | 0 | 06 |
| 599/1पी4 | 0 | 01 | 0 | 0 | 02 |
| 599/1पी3 | 0 | 02 | 0 | 0 | 05 |
| 599/1पी2 | 0 | 01 | 5 | 0 | 04 |
| 599/1पी1 | 0 | 02 | 0 | 0 | 05 |
| 597/1पी | 0 | 20 | 0 | 0 | 50 |
| 597/2 पी | 0 | 06 | 5 | 0 | 16 |
| 595/2 पी | 0 | 04 | 0 | 0 | 10 |
| 595/1पी | 0 | 01 | 5 | 0 | 04 |
| 595/3 पी | 0 | 02 | 5 | 0 | 06 |
| कुल योग | 1 | 53 | 0 | 3 | 78 |

[सं. 12016/62/2007-ओएनजी-III]

आर. एस. सिकंदर, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 8th August, 2008

S. O. 2355.— Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from “RA#6 to RA#3 via RA#1A” in the State of Andhra Pradesh, a pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipe-line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base complex, Rajahmundry, Andhra Pradesh.

ROU Pipe line from RA#6 to RA#3 via RA#1A

State : Andhra Pradesh Mandal : Amalapuram
District : East Godavari Village : Samanasa

| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
|---------------|----------|------|------------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 28/11Ap | 0 | 03 | 5 | 0 | 095 |
| 28/11 Bp | 0 | 00 | 5 | 0 | 005 |
| 28/10 Bp | 0 | 05 | 0 | 0 | 12 |
| 29/1p | 0 | 04 | 5 | 0 | 11 |
| 29/2p | 0 | 05 | 0 | 0 | 12 |
| 27/p | 0 | 01 | 0 | 0 | 02 |
| 30/p | 0 | 01 | 0 | 0 | 02 |
| 26/7p | 0 | 03 | 5 | 0 | 09 |
| 26/6p | 0 | 02 | 0 | 0 | 05 |
| 26/5p | 0 | 05 | 5 | 0 | 14 |
| 13/2p | 0 | 04 | 5 | 0 | 11 |
| 13/1p | 0 | 04 | 5 | 0 | 11 |
| 12/5bp | 0 | 05 | 0 | 0 | 12 |
| 12/4p | 0 | 05 | 0 | 0 | 12 |
| 11/5 C P | 0 | 01 | 0 | 0 | 03 |
| 11/5 Bp1 | 0 | 01 | 0 | 0 | 025 |
| 11/5 Bp2 | 0 | 01 | 0 | 0 | 025 |
| 11/4 Bp1 | 0 | 01 | 0 | 0 | 035 |
| 11/4Bp2 | 0 | 01 | 0 | 0 | 02 |
| 11/3Bp | 0 | 01 | 0 | 0 | 03 |
| 11/3Ap1 | 0 | 01 | 0 | 0 | 02 |
| 11/3Ap2 | 0 | 02 | 5 | 0 | 06 |
| 11/3Ap3 | 0 | 01 | 0 | 0 | 02 |
| 10/5p | 0 | 04 | 5 | 0 | 11 |
| 10/4p1 | 0 | 01 | 5 | 0 | 04 |
| 10/4p2 | 0 | 03 | 0 | 0 | 07 |
| 10/3 P | 0 | 04 | 5 | 0 | 11 |
| 9/4P | 0 | 02 | 0 | 0 | 05 |
| 9/3 E P | 0 | 04 | 5 | 0 | 11 |
| 9/5 Bp | 0 | 05 | 5 | 0 | 13 |
| 9/6p | 0 | 00 | 5 | 0 | 01 |
| TOTAL: | 0 | 86 | 0 | 2 | 125 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---------------|----------|-----------|----------|----------|-----------|
| 662 | 0 | 25 | 0 | 0 | 62 |
| 650/2 | 0 | 18 | 5 | 0 | 46 |
| 649/p2 | 0 | 02 | 5 | 0 | 06 |
| 649/pl | 0 | 05 | 5 | 0 | 13 |
| 610/p2 | 0 | 09 | 5 | 0 | 24 |
| 610/pl | 0 | 04 | 0 | 0 | 10 |
| 609/1p2 | 0 | 06 | 0 | 0 | 15 |
| 609/2p2 | 0 | 00 | 5 | 0 | 005 |
| 609/1pl | 0 | 10 | 0 | 0 | 25 |
| 609/2pl | 0 | 02 | 5 | 0 | 06 |
| 608/1p | 0 | 03 | 0 | 0 | 08 |
| 608/2p | 0 | 00 | 5 | 0 | 005 |
| 604/p | 0 | 01 | 0 | 0 | 03 |
| 603/5p | 0 | 01 | 0 | 0 | 02 |
| 603/8p | 0 | 06 | 0 | 0 | 15 |
| 602/p | 0 | 01 | 5 | 0 | 04 |
| 599/2pl | 0 | 10 | 5 | 0 | 26 |
| 599/2p2 | 0 | 01 | 5 | 0 | 04 |
| 599/2p3 | 0 | 02 | 5 | 0 | 06 |
| 599/1p4 | 0 | 01 | 0 | 0 | 02 |
| 599/1p3 | 0 | 02 | 0 | 0 | 05 |
| 599/1p2 | 0 | 01 | 5 | 0 | 04 |
| 599/1pl | 0 | 02 | 0 | 0 | 05 |
| 597/1p | 0 | 20 | 0 | 0 | 50 |
| 597/2p | 0 | 06 | 5 | 0 | 16 |
| 595/2p | 0 | 04 | 0 | 0 | 10 |
| 595/1p | 0 | 01 | 5 | 0 | 04 |
| 595/3p | 0 | 02 | 5 | 0 | 06 |
| TOTAL: | 1 | 53 | 0 | 3 | 78 |

[No. 12016/62/2007-ONG-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 8 अगस्त, 2008

का.आ. 2356.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में “वाटर इंजेक्शन प्लांट से लिंगाला #18 तक” पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:-

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों को उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर.ओ.यु. पाइन लाईन: “वाटर इंजेक्शन प्लांट से लिंगाला #18 तक”

| | | | | | |
|-----------------------|----------------------|----|----------|-----|--------|
| राज्य : आन्ध्र प्रदेश | मंडल : मुद्दिनेपल्ली | | | | |
| जिला : कृष्णा | गांव : चिगुरुकोटा | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 372/1पी | 0 | 20 | 0 | 0 | 50 |
| 375/1बीपी | 0 | 01 | 5 | 0 | 045 |
| 387/1एड | 0 | 01 | 5 | 0 | 04 |
| 375/1एपी | 0 | 01 | 5 | 0 | 04 |
| 375/1सीपी | 0 | 00 | 5 | 0 | 01 |
| 375/1डीपी | 0 | 09 | 5 | 0 | 24 |
| कुल योग : | 0 | 35 | 0 | 0 | 875 |

[सं. 12016/62/2007-ओएनजी-III]

आर. एस. सिकदर, अवर सचिव

New Delhi, the 8th August, 2008

S. O. 2356.—Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from “Water Injection Plant to Lingala #18” in the state of Andhra Pradesh, a pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and

Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe-line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU Pipe line from Water Injection Plant to Lingala 18

| | | | | | |
|------------------------|-----------------------|------|------------|-------|--------|
| State : Andhra Pradesh | Mandal : Mudenepalli | | | | |
| District : Krishna | Village : Chigurukota | | | | |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Centes |
| 572/1p | 0 | 20 | 0 | 0 | 50 |
| 575/1Bp | 0 | 01 | 5 | 0 | 045 |
| 387/1A3 | 0 | 01 | 5 | 0 | 04 |
| 375/1Ap | 0 | 01 | 5 | 0 | 04 |
| 375/1Cp | 0 | 00 | 5 | 0 | 01 |
| 375/1Dp | 0 | 09 | 5 | 0 | 24 |
| TOTAL: | 0 | 35 | 0 | 0 | 875 |

[No. 12016/62/2007-ONG-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 8 अगस्त, 2008

का.आ.2357.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में “केडब्ल्यूडीजे से केशनापल्ली जी.सी.एस. तक” पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:—

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर.ओ.यु. पाइन लाईन: “के. डब्ल्यू. डी. जे से केशनापल्ली जी.सी.एस.”

राज्य : आंध्र प्रदेश मंडल : मलीकीपुरम
जिला : पूर्व गोदावारि गांव
: तुरुपुपालेम

| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्ट |
|------------------|----------|-----------|----------|----------|-----------|
| 418/सी | 0 | 10 | 5 | 0 | 26 |
| 419/बी2 | 0 | 10 | 5 | 0 | 26 |
| 419/बी 1पी | 0 | 01 | 0 | 0 | 03 |
| 419/बी2 | 0 | 04 | 0 | 0 | 10 |
| 419/बी 1पी | 0 | 06 | 0 | 0 | 15 |
| कुल योग : | 0 | 32 | 5 | 0 | 80 |

[सं. 12016/62/2007-आएनजी-III]

आर. एस. सिकदर, अवर सचिव

New Delhi, the 8th August, 2008

S. O. 2357.—Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from “KWDJ to KESANAPALLI GCS” in the State of Andhra Pradesh, a pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed here to:

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe-line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G.

Basin, Godavari Bhavan, Base complex, Rajahmundry,
Andhra Pradesh.

SCHEDULE

ROU PIPE line from KWDJ to Kesanapalli GCS

State : Andhra Pradesh Mandal : Malikipuram
District : East Godavari Village : Turupupalem

| R. S. No. | Hectares | Ares | Centi Ares | Acres | Centes |
|---------------|----------|-----------|------------|----------|-----------|
| 418/C | 0 | 10 | 5 | 0 | 26 |
| 419/B2 | 0 | 10 | 5 | 0 | 26 |
| 419/B1p | 0 | 01 | 0 | 0 | 03 |
| 419/B2 | 0 | 04 | 0 | 0 | 10 |
| 419/B1p | 0 | 06 | 0 | 0 | 15 |
| TOTAL: | 0 | 32 | 5 | 0 | 80 |

[No. 12016/62/2007-ONG-I-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 8 अगस्त, 2008

का.आ.2358.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्रप्रदेश राज्य में "कडाली 1 से पूनामंडा जीसीएस तक" पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:-

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों को उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर.ओ.यु. पाइन लाईन: "कडाली # से पूनामंडा जीसीएस"

| | | | | | |
|-----------------------|--------------|----|----------|-----|--------|
| राज्य : आन्ध्र प्रदेश | मंडल : राजोल | | | | |
| जिला : पूर्व गोदावरी | गांव : कडाली | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 358/1बी | 0 | 05 | 5 | 0 | 13 |
| 358/2बी | 0 | 03 | 0 | 0 | 075 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|-------------------|----------|-----------|----------|----------|------------|
| 358/3बी | 0 | 09 | 5 | 0 | 245 |
| 390/2बी | 0 | 03 | 5 | 0 | 09 |
| 390/2सी | 0 | 04 | 0 | 0 | 105 |
| 392/3सी | 0 | 0 | 02 | 0 | 05 |
| 392/1बी | 0 | 03 | 5 | 0 | 09 |
| 392/2सी | 0 | 04 | 5 | 0 | 115 |
| 392/3बी | 0 | 03 | 5 | 0 | 09 |
| 394/2 (जीपी) | 0 | 01 | 5 | 0 | 04 |
| 396/2बी | 0 | 03 | 5 | 0 | 09 |
| 396/2सी | 0 | 05 | 5 | 0 | 145 |
| 396/3बी | 0 | 03 | 5 | 0 | 09 |
| 396/2डी | 0 | 03 | 0 | 0 | 075 |
| 396/3सी | 0 | 02 | 5 | 0 | 065 |
| 395/1बी पी (जीपी) | 0 | 03 | 0 | 0 | 085 |
| 457/1बी | 0 | 16 | 5 | 0 | 415 |
| 457/1डी | 0 | 18 | 5 | 0 | 465 |
| 458/1बी | 0 | 01 | 0 | 0 | 025 |
| 822/3बी | 0 | 19 | 0 | 0 | 47 |
| TOTAL: | 1 | 19 | 5 | 2 | 955 |

| | | | | | |
|-----------------------|-------------------|------|------------|-----|--------|
| राज्य : आन्ध्र प्रदेश | मंडल : राजौल | | | | |
| जिला : पूर्व गोदावरी | गांव : पोन्नामंडा | | | | |
| आर.एस.नं. | हेक्टेअर्स | एर्स | सेन्टेअर्स | एकड | सेन्टस |
| 347/2 | 0 | 02 | 5 | 0 | 06 |
| 348/1ए | 0 | 11 | 0 | 0 | 27 |
| 348/2ए1 | 0 | 04 | 5 | 0 | 11 |
| कुल योग : | 0 | 18 | 0 | 0 | 44 |

[सं. 12016/62/2007-ओएनजी-III]

आर. एस. सिकदर, अवर सचिव

New Delhi, the 8th August, 2008

S. O. 2358.—Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from "Kadali 1 to Ponnamanda GCS" in the state of Andhra Pradesh, a pipe-

line should be laid by the Oil & NATURAL GAS CORPORATION LTD.

And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed here to:

Now Therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority. Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/KG. Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU PIPE LINE from "Kadali-1 to Ponnanianda GCS"

| State | : Andhra Pradesh | Mandal | : Razole | | |
|--------------|------------------|---------|------------|-------|-------|
| District | : East Godavari | Village | : Kadali | | |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
| 358/1b | 0 | 05 | 5 | 0 | 13 |
| 358/2b | 0 | 03 | 0 | 0 | 075 |
| 358/3b | 0 | 09 | 5 | 0 | 245 |
| 350/2b | 0 | 03 | 5 | 0 | 09 |
| 390/2c | 0 | 04 | 0 | 0 | 105 |
| 392/3c | 0 | 0 | 02 | 0 | 05 |
| 392/1b | 0 | 03 | 5 | 0 | 09 |
| 392/2c | 0 | 04 | 5 | 0 | 115 |
| 392/3b | 0 | 03 | 5 | 0 | 09 |
| 394/2 (GP) | 0 | 01 | 5 | 0 | 04 |
| 396/2b | 0 | 03 | 5 | 0 | 09 |
| 396/2c | 0 | 05 | 5 | 0 | 145 |
| 396/3b | 0 | 03 | 5 | 0 | 09 |
| 396/2d | 0 | 03 | 0 | 0 | 075 |
| 396/3c | 0 | 02 | 5 | 0 | 065 |
| 395/1bp (GP) | 0 | 03 | 0 | 0 | 085 |
| 457/1b | 0 | 16 | 5 | 0 | 415 |
| 457/1d | 0 | 18 | 5 | 0 | 465 |
| 458/1b | 0 | 01 | 0 | 0 | 025 |
| 822/3b | 0 | 19 | 0 | 0 | 47 |
| TOTAL: | 1 | 19 | 5 | 2 | 955 |

| | | | | | |
|-----------|------------------|---------|--------------|-------|--------|
| State | : Andhra Pradesh | Mandal | : Razole | | |
| District | : East Godavari | Village | : Ponnamanda | | |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Centes |
| 347/2 | 0 | 02 | 5 | 0 | 06 |
| 348/1a | 0 | 11 | 0 | 0 | 27 |
| 348/2a | 0 | 04 | 5 | 0 | 11 |
| TOTAL: | 0 | 18 | 0 | 0 | 44 |

[No. 12016/62/2007-ONG-III]

R. S. SIKDAR, Under Secy

नई दिल्ली, 8 अगस्त, 2008

का.आ. 2359.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्रप्रदेश राज्य में "पीएसपी 23 से पीएसपी 3 (आई/सी) तक" पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:-

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए भारत सरकार तत्संबन्धी उपयोगकर्ता के अधिकार का अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नाचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर.ओ.यु. पाइप लाइन: "पासरलापुडी 23 से पासरलापुडी 3"

| | | | | | |
|-----------------------|-----------------------|----|----------|-----|---------|
| राज्य : आन्ध्र प्रदेश | मंडल : मामिडिकुदुरु | | | | |
| जिला : पूर्व गोदावरी | गांव : पासरलापुडीलंका | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्ट्स |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 68 (जीपी) | 0 | 02 | 5 | 0 | 06 |
| 43/1बी | 0 | 02 | 0 | 0 | 05 |
| 43/1सी | 0 | 04 | 0 | 0 | 10 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|------------------|----------|-----------|----------|----------|-----------|
| 42/1डी | 0 | 05 | 5 | 0 | 14 |
| 43/3बी | 0 | 06 | 5 | 0 | 16 |
| 43/4बी | 0 | 07 | 0 | 0 | 17 |
| 43/5बी | 0 | 10 | 0 | 0 | 25 |
| 42/1बी | 0 | 01 | 5 | 0 | 04 |
| 41/2 जीपी | 0 | 03 | 0 | 0 | 07 |
| 13/1 बी 2 | 0 | 04 | 0 | 0 | 10 |
| 14/2बी | 0 | 01 | 0 | 0 | 03 |
| 14/1बी | 0 | 03 | 0 | 0 | 07 |
| 9/2ए | 0 | 11 | 5 | 0 | 28 |
| 13/1सी 2 | 0 | 11 | 5 | 0 | 29 |
| 13/1सी 3 | 0 | 03 | 0 | 0 | 08 |
| 14/1बी | 0 | 14 | 0 | 0 | 34 |
| 14/2एपी | 0 | 04 | 5 | 0 | 11 |
| 14/7बीपी | 0 | 02 | 0 | 0 | 05 |
| 14/10एपी | 0 | 10 | 5 | 0 | 26 |
| 14/1डी | 0 | 20 | 0 | 0 | 49 |
| 14/6पी | 0 | 04 | 0 | 0 | 10 |
| 14/9पी | 0 | 05 | 5 | 0 | 14 |
| 9/1पी | 0 | 10 | 0 | 0 | 25 |
| 8/2पी | 0 | 22 | 5 | 0 | 56 |
| 8/3पी | 0 | 03 | 0 | 0 | 08 |
| 7/1पी | 0 | 04 | 0 | 0 | 10 |
| 5/1पी | 0 | 05 | 5 | 0 | 13 |
| 5/6पी | 0 | 04 | 5 | 0 | 11 |
| 42/1सी | 0 | 11 | 5 | 0 | 28 |
| 2 (जीपी) | 0 | 14 | 0 | 0 | 35 |
| कुल योग : | 2 | 12 | 0 | 5 | 24 |

राज्य : आन्ध्र प्रदेश
जिले : पुर्व गोदावारि

मंडल : मामिडिकुदुरु
गांव : पासरलापुडी

| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्स |
|-----------|----------|----|----------|-----|-------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 238/3पी | 0 | 03 | 0 | 0 | 07 |
| 238/4पी | 0 | 03 | 5 | 0 | 09 |
| 237/2 | 0 | 10 | 5 | 0 | 26 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|------------------|----------|-----------|----------|----------|-----------|
| 237/3 | 0 | 05 | 5 | 0 | 13 |
| 237/4 | 0 | 05 | 5 | 0 | 13 |
| 149/2 जीपी | 0 | 03 | 0 | 0 | 07 |
| 148/2 जीपी | 0 | 07 | 0 | 0 | 17 |
| 147 जीपी | 0 | 01 | 5 | 0 | 04 |
| 150/2पी | 0 | 01 | 0 | 0 | 02 |
| 152/3 पी | 0 | 01 | 0 | 0 | 03 |
| 152/2पी | 0 | 01 | 0 | 0 | 03 |
| 153/1बी | 0 | 00 | 5 | 0 | 01 |
| 153/2बी | 0 | 01 | 5 | 0 | 04 |
| 153/2ई | 0 | 00 | 5 | 0 | 01 |
| 153/1सी | 0 | 02 | 5 | 0 | 06 |
| 153/2सी | 0 | 01 | 5 | 0 | 04 |
| 153/2डी | 0 | 04 | 5 | 0 | 11 |
| कुल योग : | 0 | 53 | 0 | 1 | 31 |

[सं. 12016/62/2007-ओएनजी-III]

आर. एस. सिकंदर, अपर सचिव

New Delhi, the 8th August, 2008

S. O. 2359.— Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from “PSP 23 to PSP 3 (V/C)” in the state of Andhra Pradesh, a pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals -Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE
ROU PIPE LINE FROM "PASARLAX UDI 23 to
PASARLAPUDI 3 (I/C)"

State : Andhra Pradesh Mandal : Mamidikuduru
District : East Godavari Village : Pasarlapudi Lanka

| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
|-----------|----------|------|------------|-------|-------|
| 68(GP) | 0 | 02 | 5 | 0 | 06 |
| 43/1b | 0 | 02 | 0 | 0 | 05 |
| 43/1c | 0 | 04 | 0 | 0 | 10 |
| 42/1d | 0 | 05 | 5 | 0 | 14 |
| 43/3b | 0 | 06 | 5 | 0 | 16 |
| 43/4b | 0 | 07 | 0 | 0 | 17 |
| 13/5b | 0 | 10 | 0 | 0 | 25 |
| 42/1b | 0 | 01 | 5 | 0 | 04 |
| 41/2 | 0 | 03 | 0 | 0 | 07 |
| 13/1b2 | 0 | 04 | 0 | 0 | 10 |
| 14/2b | 0 | 01 | 0 | 0 | 03 |
| 14/10b | 0 | 03 | 0 | 0 | 07 |
| 9/2a | 0 | 11 | 5 | 0 | 28 |
| 13/1c2 | 0 | 11 | 5 | 0 | 29 |
| 13/1c3 | 0 | 03 | 0 | 0 | 08 |
| 14/1b | 0 | 14 | 0 | 0 | 34 |
| 14/2ap | 0 | 04 | 5 | 0 | 11 |
| 14/7bp | 0 | 02 | 0 | 0 | 05 |
| 14/10ap | 0 | 10 | 5 | 0 | 26 |
| 14/1d | 0 | 20 | 0 | 0 | 49 |
| 14/6p | 0 | 04 | 0 | 0 | 10 |
| 14/9p | 0 | 05 | 5 | 0 | 14 |
| 9/1p | 0 | 10 | 0 | 0 | 25 |
| 8/2p | 0 | 22 | 5 | 0 | 56 |
| 8/3p | 0 | 03 | 0 | 0 | 08 |
| 7/1p | 0 | 04 | 0 | 0 | 10 |
| 5/1p | 0 | 05 | 5 | 0 | 13 |
| 5/6p | 0 | 04 | 5 | 0 | 11 |
| 42/1c | 0 | 11 | 5 | 0 | 28 |
| 2(GP) | 0 | 14 | 0 | 0 | 35 |
| TOTAL: | 2 | 12 | 0 | 5 | 24 |

State : Andhra Pradesh Mandal : Mamidikuduru
District : East Godavari Village : Pasarlapudi Lanka

| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
|-----------|----------|------|------------|-------|-------|
| 238/3p | 0 | 03 | 0 | 0 | 07 |
| 238/4p | 0 | 03 | 5 | 0 | 09 |
| 237/2 | 0 | 10 | 5 | 0 | 26 |
| 237/3 | 0 | 05 | 5 | 0 | 13 |
| 237/4 | 0 | 05 | 5 | 0 | 13 |
| 149/2 | 0 | 03 | 0 | 0 | 07 |
| 148/2 | 0 | 07 | 0 | 0 | 17 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|--------|---|----|---|---|----|
| 147 | 0 | 01 | 5 | 0 | 04 |
| 150/2p | 0 | 01 | 0 | 0 | 02 |
| 152/3p | 0 | 01 | 0 | 0 | 03 |
| 152/2p | 0 | 01 | 0 | 0 | 03 |
| 153/1b | 0 | 00 | 5 | 0 | 01 |
| 153/2b | 0 | 01 | 5 | 0 | 04 |
| 153/2e | 0 | 00 | 5 | 0 | 01 |
| 153/1c | 0 | 02 | 5 | 0 | 06 |
| 153/2c | 0 | 01 | 5 | 0 | 04 |
| 153/2d | 0 | 04 | 5 | 0 | 11 |
| Total: | 0 | 53 | 0 | 1 | 31 |

[No. 12016/62/2007-ONG-HH]
R. S. SIKIDAR, Under Secy

नई दिल्ली, 8 अगस्त, 2008

का.आ.2360.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में "कंडक्च्यूएपी से केसनापल्ली जीसीएस तक" पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉरपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए।

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है।

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अधिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉरपोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, ब्रेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है।

अनुसूची

आर.ओ.यु. पाईप लाइन: "के. डब्ल्यू. ऐ.पी. से केसनापल्ली जी.सी. एस"

| | | | | | |
|-----------------------|----------|-------------|----------|-----|--------|
| राज्य : आन्ध्र प्रदेश | मंडल : | मलीकीपुरम | | | |
| जिले : पुर्व गोदावारि | गांव : | तुरुपुपालेम | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 383/1 | 0 | 04 | 0 | 0 | 10 |
| 383/2 | 0 | 02 | 0 | 0 | 05 |

| 1 | 2 | 3 | 4 | 5 | 6 | 1 | 2 | 3 | 4 | 5 | 6 |
|------------|---|----|---|---|-----|--|---|----|---|---|-----|
| 383/3 | 0 | 05 | 0 | 0 | 12 | 450/2बी | 0 | 13 | 5 | 0 | 33 |
| 387/पी | 0 | 01 | 0 | 0 | 02 | 449/2ए | 0 | 05 | 0 | 0 | 12 |
| 382/2पी | 0 | 00 | 5 | 0 | 01 | 449/2सी | 0 | 08 | 0 | 0 | 20 |
| 388/पी | 0 | 01 | 0 | 0 | 03 | 447/1बी | 0 | 06 | 0 | 0 | 155 |
| 378/1बी | 0 | 01 | 5 | 0 | 045 | 442/2बी | 0 | 05 | 5 | 0 | 13 |
| 378/1सी | 0 | 01 | 5 | 0 | 04 | 442/2सीपी | 0 | 02 | 5 | 0 | 07 |
| 378/1डी | 0 | 01 | 5 | 0 | 04 | 442/2सीपी | 0 | 02 | 5 | 0 | 07 |
| 378/3बी | 0 | 01 | 0 | 0 | 03 | 442/2ई | 0 | 07 | 5 | 0 | 18 |
| 378/4बी | 0 | 01 | 5 | 0 | 045 | 441/2 | 0 | 06 | 5 | 0 | 16 |
| 378/4सी | 0 | 02 | 0 | 0 | 05 | 440/2 | 0 | 08 | 0 | 0 | 20 |
| 378/4डी | 0 | 01 | 0 | 0 | 03 | 439/1बी | 0 | 08 | 0 | 0 | 20 |
| 378/4ई | 0 | 01 | 5 | 0 | 04 | 437/1बी | 0 | 02 | 0 | 0 | 05 |
| 378/5बी | | 01 | 5 | 0 | 04 | 437/1सी | 0 | 02 | 0 | 0 | 05 |
| 378/5सी | 0 | 00 | 5 | 0 | 01 | 437/1डी | 0 | 05 | 5 | 0 | 14 |
| 378/5डी | 0 | 01 | 5 | 0 | 04 | 437/2बी | 0 | 02 | 5 | 0 | 075 |
| 378/5ई | 0 | 02 | 5 | 0 | 06 | 437/2सी | 0 | 06 | 0 | 0 | 15 |
| 376/1बी | 0 | 01 | 0 | 0 | 03 | 433/1बी | 0 | 02 | 0 | 0 | 055 |
| 376/1सी | 0 | 01 | 0 | 0 | 03 | 433/1सी | 0 | 01 | 5 | 0 | 045 |
| 376/1डी | 0 | 01 | 0 | 0 | 02 | 433/1डी,2बी | 0 | 01 | 5 | 0 | 04 |
| 376/7बी | 0 | 03 | 0 | 0 | 08 | 433/1डी,2बी | 0 | 01 | 5 | 0 | 04 |
| 376/7डी | 0 | 02 | 5 | 0 | 07 | 433/1डी,2बी | 0 | 01 | 5 | 0 | 04 |
| 376/8बी | 0 | 03 | 0 | 0 | 08 | 433/1डी,2बी | 0 | 01 | 5 | 0 | 04 |
| 370/2बी | 0 | 03 | 5 | 0 | 095 | 433/3बी | 0 | 04 | 5 | 0 | 11 |
| 370/11ए | 0 | 02 | 5 | 0 | 06 | 433/3बी | 0 | 04 | 5 | 0 | 11 |
| 370/10एपी | 0 | 00 | 5 | 0 | 01 | कुल योग : | 1 | 83 | 5 | 4 | 54 |
| 370/10एपी2 | 0 | 01 | 0 | 0 | 035 | [सं. 12016/62/2007-ओएनजी III] | | | | | |
| 370/9ए | 0 | 01 | 0 | 0 | 03 | आर. एस. सिकंदर, अवर सचिव | | | | | |
| 370/8ए | 0 | 01 | 0 | 0 | 03 | New Delhi, the 8th August, 2008 | | | | | |
| 370/6ए | 0 | 06 | 0 | 0 | 015 | S. O. 2360. — Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from "KWAP to KESANAPALLI GCS" in the State of Andhra Pradesh, a pipeline should be laid by the Oil & Natural Gas Corporation Ltd. | | | | | |
| 371/1बी | 0 | 02 | 0 | 0 | 05 | And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto : | | | | | |
| 371/1सी | 0 | 02 | 0 | 0 | 05 | | | | | | |
| 371/1डी | 0 | 02 | 0 | 0 | 05 | | | | | | |
| 371/1ई | 0 | 01 | 0 | 0 | 035 | | | | | | |
| 372/2बी | 0 | 04 | 5 | 0 | 11 | | | | | | |
| 372/2सी | 0 | 04 | 0 | 0 | 10 | | | | | | |

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals-Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU PIPE LINE FROM "KWAP TO KESANAPALLI GCS"

State : Andhra Pradesh Mandal : Malikipuram
District : East sGodavari Village : Turupupalem

| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
|-----------|----------|------|------------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 383/1 | 0 | 04 | 0 | 0 | 10 |
| 383/2 | 0 | 02 | 0 | 0 | 05 |
| 383/3 | 0 | 05 | 0 | 0 | 12 |
| 387/P | 0 | 01 | 0 | 0 | 02 |
| 382/2P | 0 | 00 | 5 | 0 | 01 |
| 388/P | 0 | 01 | 0 | 0 | 03 |
| 378/1B | 0 | 01 | 5 | 0 | 045 |
| 378/1C | 0 | 01 | 5 | 0 | 04 |
| 378/1D | 0 | 01 | 5 | 0 | 04 |
| 378/3B | 0 | 01 | 0 | 0 | 03 |
| 378/4B | 0 | 01 | 5 | 0 | 045 |
| 378/4C | 0 | 02 | 0 | 0 | 05 |
| 378/4D | 0 | 01 | 0 | 0 | 03 |
| 378/4E | 0 | 01 | 5 | 0 | 04 |
| 378/5B | | 01 | 5 | 0 | 04 |
| 378/5C | 0 | 00 | 5 | 0 | 01 |
| 378/5D | 0 | 01 | 5 | 0 | 04 |
| 378/5E | 0 | 02 | 5 | 0 | 06 |
| 376/1B | 0 | 01 | 0 | 0 | 03 |
| 376/1C | 0 | 01 | 0 | 0 | 03 |
| 376/1D | 0 | 01 | 0 | 0 | 02 |
| 376/7B | 0 | 03 | 0 | 0 | 08 |
| 376/7D | 0 | 02 | 5 | 0 | 07 |
| 376/8B | 0 | 03 | 0 | 0 | 08 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---------------|----------|-----------|----------|----------|-----------|
| 370/2B | 0 | 03 | 5 | 0 | 095 |
| 370/11A | 0 | 02 | 5 | 0 | 06 |
| 370/10AP | 0 | 00 | 5 | 0 | 01 |
| 370/10AP2 | 0 | 01 | 0 | 0 | 035 |
| 370/9A | 0 | 01 | 0 | 0 | 03 |
| 370/8A | 0 | 01 | 0 | 0 | 03 |
| 370/6A | 0 | 06 | 0 | 0 | 015 |
| 371/1B | 0 | 02 | 0 | 0 | 05 |
| 371/1C | 0 | 02 | 0 | 0 | 05 |
| 371/1D | 0 | 02 | 0 | 0 | 05 |
| 371/1E | 0 | 01 | 0 | 0 | 035 |
| 372/2B | 0 | 04 | 5 | 0 | 11 |
| 372/2C | 0 | 04 | 0 | 0 | 10 |
| 450/2B | 0 | 13 | 5 | 0 | 33 |
| 449/2A | 0 | 05 | 0 | 0 | 12 |
| 449/2C | 0 | 08 | 0 | 0 | 20 |
| 447/1B | 0 | 06 | 0 | 0 | 155 |
| 442/2B | 0 | 05 | 5 | 0 | 13 |
| 442/2CP | 0 | 02 | 5 | 0 | 07 |
| 442/2CP | 0 | 02 | 5 | 0 | 07 |
| 442/2E | 0 | 07 | 5 | 0 | 18 |
| 441/2 | 0 | 06 | 5 | 0 | 16 |
| 440/2 | 0 | 08 | 0 | 0 | 20 |
| 439/1B | 0 | 08 | 0 | 0 | 20 |
| 437/1B | 0 | 02 | 0 | 0 | 05 |
| 437/1C | 0 | 02 | 0 | 0 | 05 |
| 437/1D | 0 | 05 | 5 | 0 | 14 |
| 437/2B | 0 | 02 | 5 | 0 | 075 |
| 437/2C | 0 | 06 | 0 | 0 | 15 |
| 433/1B | 0 | 02 | 0 | 0 | 055 |
| 433/1C | 0 | 01 | 5 | 0 | 045 |
| 433/1D,2B | 0 | 01 | 5 | 0 | 04 |
| 433/1D,2B | 0 | 01 | 5 | 0 | 04 |
| 433/1D,2B | 0 | 01 | 5 | 0 | 04 |
| 433/1D,2B | 0 | 01 | 5 | 0 | 04 |
| 433/3B | 0 | 04 | 5 | 0 | 11 |
| 433/3B | 0 | 04 | 5 | 0 | 11 |
| TOTAL: | 1 | 83 | 5 | 4 | 54 |

[No. 12016/62/2007-ONG-III]
R. S. SIKDAR, Under Secy.

नई दिल्ली, 08 अगस्त, 2008

का.आ. 2361.—जबकि भारत सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि आंध्रप्रदेश राज्य में “पीएसएटी से तातीपाका #7 (आई/सी) तक” पेट्रोलियम के परिवहन के लिए ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और जबकि भारत सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन को बिछाने के प्रयोजन हेतु संलग्न अनुसूची में वर्णित भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण किया जाना आवश्यक है:-

अतः अब पेट्रोलियम एवं खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अधिग्रहण) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों को उपयोग करते हुए भारत सरकार तत्संबंधी उपयोगकर्ता के अधिकार के अधिग्रहण की अपनी मंशा की घोषणा करती है ;

उक्त भूमि में इच्छुक कोई भी व्यक्ति भारत के राजपत्र में प्रकाशित हुए अनुसार अभिसूचना की प्रतियों को आम जनता को उपलब्ध कराए जाने की तिथि से 21 दिवस के भीतर भूमि के नीचे पाइपलाइन बिछाने हेतु उपयोगकर्ता के अधिकार के अधिग्रहण पर अपनी आपत्ति को लिखित में सक्षम प्राधिकारी, ऑयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, राजामुंद्री परिसंपत्ति/के.जी. बेसिन, गोदावरी भवन, बेस कॉम्प्लेक्स, राजामुंद्री, आंध्र प्रदेश को प्रस्तुत कर सकता है ।

अनुसूची

आर.ओ.यु. पाइन लाईन: “पि.एस.ये.टी. से तातीपाका#7(आई/सी) ”

| | | | | | |
|----------------------|---------------------|----|----------|------|--------|
| राज्य : आंध्र प्रदेश | मंडल : मामीडीकुदुरु | | | | |
| जिले : पुर्व गोदावरि | गांव : कोभाराडा | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड़ | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 23/2एपी | 0 | 01 | 0 | 0 | 03 |
| 22/2बी | 0 | 02 | 0 | 0 | 055 |
| 22/1बी | 0 | 02 | 0 | 0 | 055 |
| 32/पी | 0 | 18 | 5 | 0 | 46 |
| 20/5पी | 0 | 03 | 5 | 0 | 09 |
| 20/2ए | 0 | 02 | 5 | 0 | 06 |
| 20/2बी | 0 | 01 | 0 | 0 | 02 |
| 20/3पी | 0 | 03 | 0 | 0 | 07 |
| 20/1पी | 0 | 04 | 0 | 0 | 10 |
| 19/2पी | 0 | 02 | 0 | 0 | 05 |
| 19/1पी | 0 | 05 | 0 | 0 | 12 |
| 10/पी (जीपी) | 0 | 01 | 0 | 0 | 025 |
| कुल योग | 0 | 45 | 5 | 1 | 135 |

| | | | | | |
|----------------------|----------------------|----|----------|------|--------|
| राज्य : आंध्र प्रदेश | मंडल : मामीडिकुदुरु | | | | |
| जिले : पुर्व गोदावरि | गांव : माकान्नापालेम | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड़ | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 9/1 | 0 | 02 | 5 | 0 | 06 |
| 8/2 | 0 | 22 | 5 | 0 | 56 |
| 6/4 | 0 | 05 | 0 | 0 | 125 |
| 6/3 | 0 | 05 | 0 | 0 | 12 |
| 6/2 | 0 | 19 | 5 | 0 | 48 |
| 5/2बी1 | 0 | 11 | 5 | 0 | 285 |
| 13/5बी2 | 0 | 04 | 0 | 0 | 105 |
| 13/5ए2 | 0 | 00 | 5 | 0 | 01 |
| 13/4सी | 0 | 07 | 5 | 0 | 18 |
| 13/4ए | 0 | 03 | 5 | 0 | 09 |
| 2/3ए2 | 0 | 11 | 5 | 0 | 28 |
| कुल योग | 0 | 92 | 5 | 2 | 295 |

| | | | | | |
|----------------------|---------------------|----|----------|------|--------|
| राज्य : आंध्र प्रदेश | मंडल : मामीडीकुदुरु | | | | |
| जिले : पुर्व गोदावरि | गांव : ईदाराडा | | | | |
| आर.एस.नं. | हेक्टेएस | एस | सेन्टेएस | एकड़ | सेन्टस |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 99/2पी(जीपी) | 0 | 00 | 5 | 0 | 005 |
| 99/2पी(जीपी) | 0 | 01 | 0 | 0 | 02 |
| 98/6बी | 0 | 00 | 5 | 0 | 055 |
| 98/5ए | 0 | 08 | 0 | 0 | 20 |
| 97/2बी | 0 | 05 | 5 | 0 | 14 |
| 101/4 | 0 | 07 | 0 | 0 | 17 |
| 100/2 | 0 | 01 | 0 | 0 | 025 |
| 100/1 | 0 | 02 | 5 | 0 | 06 |
| 101/3 | 0 | 05 | 0 | 0 | 12 |
| 101/2 | 0 | 06 | 0 | 0 | 15 |
| 102/2ए | 0 | 07 | 5 | 0 | 19 |
| 102/1बी | 0 | 02 | 0 | 0 | 05 |
| 102/1ए | 0 | 06 | 0 | 0 | 15 |
| 103/2ए | 0 | 01 | 0 | 0 | 025 |
| 103/1ए | 0 | 09 | 5 | 0 | 23 |
| 107/4 | 0 | 04 | 5 | 0 | 11 |
| 107/3 | 0 | 01 | 0 | 0 | 035 |
| 107/2 | 0 | 03 | 0 | 0 | 07 |
| 107/1 | 0 | 05 | 5 | 0 | 14 |
| 106/4 | 0 | 02 | 5 | 0 | 06 |
| 106/3 | 0 | 03 | 5 | 0 | 09 |
| 106/2पी | 0 | 05 | 0 | 0 | 125 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|----------------|----------|-----------|----------|----------|------------|
| 105/2 (जीपी) | 0 | 01 | 0 | 0 | 025 |
| 94/2ए | 0 | 01 | 0 | 0 | 035 |
| 93/4बी (जीपी) | 0 | 00 | 5 | 0 | 01 |
| 93/1बी | 0 | 02 | 0 | 0 | 05 |
| 92/1बी | 0 | 08 | 0 | 0 | 20 |
| 87/6 | 0 | 03 | 5 | 0 | 09 |
| 87/5 | 0 | 03 | 5 | 0 | 09 |
| 87/4पी | 0 | 01 | 0 | 0 | 035 |
| 87/4पी | 0 | 03 | 0 | 0 | 08 |
| 87/3 | 0 | 05 | 0 | 0 | 12 |
| 87/2 | 0 | 05 | 0 | 0 | 12 |
| 88/4बी4 | 0 | 02 | 5 | 0 | 06 |
| 88/4बी3 | 0 | 02 | 5 | 0 | 06 |
| 88/4बी2 | 0 | 01 | 0 | 0 | 03 |
| 88/4ए2 | 0 | 05 | 0 | 0 | 125 |
| 88/2बी | 0 | 04 | 5 | 0 | 115 |
| 88/1सी | 0 | 01 | 5 | 0 | 04 |
| 88/1बी | 0 | 01 | 5 | 0 | 04 |
| 68/2बी | 0 | 06 | 5 | 0 | 16 |
| 66/2 | 0 | 19 | 5 | 0 | 48 |
| 67/1 (जीपी) | 0 | 01 | 5 | 0 | 04 |
| कुल योग | 1 | 71 | 0 | 4 | 225 |

राज्य : आंध्र प्रदेश मंडल : मामीडिकुदुरु
जिले : पूर्व गोदावरी गांव : नागाराम

| आर.एस.नं. | हेक्टेर्स | एर्स | सेन्टेर्स | एकड | सेन्ट्स |
|--------------|-----------|------|-----------|-----|---------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 371/1 (जीपी) | 0 | 05 | 0 | 0 | 12 |
| 370/1पी | 0 | 04 | 0 | 0 | 10 |
| 323/8पी | 0 | 04 | 0 | 0 | 10 |
| 324/4 | 0 | 05 | 5 | 0 | 14 |
| 324/3 | 0 | 07 | 0 | 0 | 17 |
| 324/2 | 0 | 05 | 5 | 0 | 145 |
| 324/1 | 0 | 05 | 5 | 0 | 13 |
| 315/5पी | 0 | 06 | 5 | 0 | 16 |
| 314/1/2 | 0 | 07 | 5 | 0 | 19 |
| 314/1 | 0 | 07 | 5 | 0 | 19 |
| 312/1ए2पी | 0 | 08 | 0 | 0 | 20 |
| 312/1एपी | 0 | 08 | 5 | 0 | 21 |
| 310/1पी | 0 | 12 | 0 | 0 | 30 |
| 310/3पी 1 | 0 | 05 | 5 | 0 | 14 |
| 310/3पी 2 | 0 | 03 | 0 | 0 | 08 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|----------------|----------|-----------|----------|----------|-----------|
| 310/1पी2 | 0 | 00 | 5 | 0 | 01 |
| 310/1पी3 | 0 | 01 | 5 | 0 | 01 |
| 310/2 | 0 | 01 | 0 | 0 | 03 |
| 310/1पी4 | 0 | 03 | 0 | 0 | 08 |
| 310/1पी5 | 0 | 00 | 5 | 0 | 015 |
| 310/पी6 | 0 | 03 | 5 | 0 | 09 |
| 310/1पी7 | 0 | 05 | 5 | 0 | 13 |
| कुल योग | 1 | 12 | 0 | 2 | 77 |

[सं. 12016/62/2007-ओएनजी (11)]

आर. एस. सिकंदर, अवर सचिव

New Delhi, the 8th August, 2008

S. O. 2361.— Whereas it appears to the Government of India that it is necessary in public interest that for transportation of petroleum from "PSAT to TATIPAKA #7 (1/C)" in the state of Andhra Pradesh, a pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed here to;

Now Therefore in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals' Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of User therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset K.G. Basin, Godavari Bhavan, Base complex, Rajahmundry, Andhra Pradesh.

SCHEDULE**ROU Pipe line from PSAT to Tatipaka #7(1C)**

| | | | | | |
|-----------|------------------|---------|----------------|-------|-------|
| State | : Andhra Pradesh | Mandal | : Mamidikuduru | | |
| District | : East Godavari | Village | : Komarada | | |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
| 23/2Ap | 0 | 01 | 0 | 0 | 03 |
| 22/2B | 0 | 02 | 0 | 0 | 055 |
| 22/1B | 0 | 02 | 0 | 0 | 055 |
| 32/p | 0 | 18 | 5 | 0 | 46 |
| 20/5p | 0 | 03 | 5 | 0 | 09 |
| 20/2A | 0 | 02 | 5 | 0 | 06 |

| 1 | 2 | 3 | 4 | 5 | 6 | 1 | 2 | 3 | 4 | 5 | 6 |
|---|----------|------|------------|-------|-------|--|----------|------|------------|-------|-------|
| 20/2B | 0 | 01 | 0 | 0 | 02 | 106/4 | 0 | 02 | 5 | 0 | 06 |
| 20/3 | 0 | 03 | 0 | 0 | 07 | 106/3 | 0 | 03 | 5 | 0 | 09 |
| 20/1p- | 0 | 04 | 0 | 0 | 10 | 106/2p | 0 | 05 | 0 | 0 | 125 |
| 19/2p | 0 | 02 | 0 | 0 | 05 | 105/2(GP) | 0 | 01 | 0 | 0 | 025 |
| 19/1p | 0 | 05 | 0 | 0 | 12 | 94/2A | 0 | 01 | 0 | 0 | 035 |
| 10/p(GP) | 0 | 01 | 0 | 0 | 025 | 93/4B(GP) | 0 | 00 | 5 | 0 | 01 |
| TOTAL | 0 | 45 | 5 | 1 | 135 | 93/1B | 0 | 02 | 0 | 0 | 05 |
| State : Andhra Pradesh Mandal : Mamidikuduru | | | | | | 92/1B | 0 | 08 | 0 | 0 | 20 |
| District : East Godavari Village : Makannapalem | | | | | | 87/6 | 0 | 03 | 5 | 0 | 09 |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents | 87/5 | 0 | 03 | 5 | 0 | 09 |
| 9/1 | 0 | 02 | 5 | 0 | 06 | 87/4p | 0 | 01 | 0 | 0 | 035 |
| 8/2 | 0 | 22 | 5 | 0 | 56 | 87/4p | 0 | 03 | 0 | 0 | 08 |
| 6/4 | 0 | 05 | 0 | 0 | 125 | 87/3 | 0 | 05 | 0 | 0 | 12 |
| 6/3 | 0 | 05 | 0 | 0 | 12 | 87/2 | 0 | 05 | 0 | 0 | 12 |
| 6/2 | 0 | 19 | 5 | 0 | 48 | 88/4B4 | 0 | 02 | 5 | 0 | 06 |
| 5/2B1 | 0 | 11 | 5 | 0 | 285 | 88/4B3 | 0 | 02 | 5 | 0 | 06 |
| 13/5B2 | 0 | 04 | 0 | 0 | 105 | 88/4B2 | 0 | 01 | 0 | 0 | 03 |
| 13/5A2 | 0 | 00 | 5 | 0 | 01 | 88/4A2 | 0 | 05 | 0 | 0 | 125 |
| 13/4C | 0 | 07 | 5 | 0 | 18 | 88/2B | 0 | 04 | 5 | 0 | 115 |
| 13/4A | 0 | 03 | 5 | 0 | 09 | 88/1C | 0 | 01 | 5 | 0 | 04 |
| 2/3A2 | 0 | 11 | 5 | 0 | 28 | 88/1B | 0 | 01 | 5 | 0 | 04 |
| TOTAL: | 0 | 92 | 5 | 2 | 295 | 68/2B | 0 | 06 | 5 | 0 | 16 |
| State : Andhra Pradesh Mandal : Mamidikuduru | | | | | | 66/2 | 0 | 19 | 5 | 0 | 48 |
| District : East Godavari Village : Eedarada | | | | | | 67/1(GP) | 0 | 01 | 5 | 0 | 04 |
| R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents | TOTAL | 1 | 71 | 0 | 4 | 225 |
| 99/2p(GP) | 0 | 00 | 5 | 0 | 005 | State : Andhra Pradesh Mandal : Mamidikuduru | | | | | |
| 99/2p(GP) | 0 | 01 | 0 | 0 | 02 | District : East Godavari Village : Nagaram | | | | | |
| 98/6B | 0 | 00 | 5 | 0 | 055 | R. S. No. | Hectares | Ares | Centi Ares | Acres | Cents |
| 98/5A | 0 | 08 | 0 | 0 | 20 | 371/1(G.P) | 0 | 05 | 0 | 0 | 12 |
| 97/2B | 0 | 05 | 5 | 0 | 14 | 370/1p | 0 | 04 | 0 | 0 | 10 |
| 101/4 | 0 | 07 | 0 | 0 | 17 | 323/8p | 0 | 04 | 0 | 0 | 10 |
| 100/2 | 0 | 01 | 0 | 0 | 025 | 324/4 | 0 | 05 | 5 | 0 | 14 |
| 100/1 | 0 | 02 | 5 | 0 | 06 | 324/3 | 0 | 07 | 0 | 0 | 17 |
| 101/3 | 0 | 05 | 0 | 0 | 12 | 324/2 | 0 | 05 | 5 | 0 | 145 |
| 101/2 | 0 | 06 | 0 | 0 | 15 | 324/1 | 0 | 05 | 5 | 0 | 13 |
| 102/2A | 0 | 07 | 5 | 0 | 19 | 315/5p | 0 | 06 | 5 | 0 | 16 |
| 102/1B | 0 | 02 | 0 | 0 | 05 | 314/1/2 | 0 | 07 | 5 | 0 | 19 |
| 102/1A | 0 | 06 | 0 | 0 | 15 | 314/1 | 0 | 07 | 5 | 0 | 19 |
| 103/2A | 0 | 01 | 0 | 0 | 025 | 312/1A2p | 0 | 08 | 0 | 0 | 20 |
| 103/1A | 0 | 09 | 5 | 0 | 23 | 312/1A1p | 0 | 08 | 5 | 0 | 21 |
| 107/4 | 0 | 04 | 5 | 0 | 11 | 310/1pl | 0 | 12 | 0 | 0 | 30 |
| 107/3 | 0 | 01 | 0 | 0 | 035 | 310/3pl | 0 | 05 | 5 | 0 | 14 |
| 107/2 | 0 | 03 | 0 | 0 | 07 | 310/3p2 | 0 | 03 | 0 | 0 | 08 |
| 107/1 | 0 | 05 | 5 | 0 | 14 | | | | | | |

नई दिल्ली, 6 अगस्त, 2008

का.आ. 2362.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा-पानीपत अपरिष्कृत तेल परिवहन के संवर्धन परियोजना के कार्यान्वयन हेतु राजस्थान राज्य में कोट पम्पिंग स्टेशन से कोटडी टर्मिनल स्टेशन तक अपरिष्कृत तेल परिवहन के लिए एक पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत सरकार के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री योगेश कुमार श्रीवास्तव, सक्षम प्राधिकारी (राजस्थान) इंडियन ऑयल कॉर्पोरेशन लिमिटेड, (पाइपलाइन्स प्रभाग), 33, मुक्तानन्द नगर, गोपालपुरा बाईपास, जयपुर-302018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

| क्रमांक | राज्य | जिला | तहसील | गाँव | खसरा संख्या | क्षेत्रफल | | |
|---------|----------|------|-------|----------|-------------|-----------|-----|-----------|
| | | | | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1- | राजस्थान | पाली | बाली | भीटवाड़ा | 90 | 0 | 1 | 53 |
| | | | | 86/1458 | 0 | 11 | 88 | |
| | | | 85 | 0 | 11 | 27 | | |
| | | 674 | 0 | 21 | 60 | | | |
| | 670 | 0 | 1 | 3 | | | | |
| | | | | | 131 | 0 | 12 | 74 |

[फा. सं. आर-25011/8/2006-ओआर-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 6th August, 2008

S.O. 2362 ---Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Crude Oil from KOT Pumping Station to KOTADI Terminal Station in the State of Rajasthan, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the "Augmentation of Mundra - Panipat Pipeline System".

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Yogesh Kumar Srivastava, Competent Authority (Rajasthan), Indian Oil Corporation Limited (Pipelines division), 33, Muktanand Nagar, Gopalpura Bye-pass, Jaipur -302 018, (Rajasthan).

SCHEDULE

| Sl. No. | State | District | Tehsil | Village | Khasara No. | AREA | | |
|---------|-----------|----------|--------|-----------|-------------|-------|-----|----------|
| | | | | | | Hect. | Ara | Sq. mtr. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. | Rajasthan | Pali | Bali | Bheetwara | 90 | 0 | 1 | 53 |
| | | | | 86/1458 | 0 | 11 | 88 | |
| | | | 85 | 0 | 11 | 27 | | |
| | | 674 | 0 | 21 | 60 | | | |
| | 670 | 0 | 1 | 3 | | | | |
| | | | | | 131 | 0 | 12 | 74 |

[F. No. R-25011/8/2006-OR-1]

S. K. CHITKARA, Under Secy

नई दिल्ली, 12 अगस्त, 2008

का.आ. 2363.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में जामनगर-लोनी पाइपलाइन के द्वारा जाम नगर स्थित एस्सार ऑयल को जोड़ने के लिये परियोजना के माध्यम से प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

और अतः अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध कर दी जाती है, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री एस. के. राठौर, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, ओल्ड कालोनी, नियर ओ. एन. जी. सी. सर्कल हजीरा, सूरत, गुजरात को लिखित रूप में आक्षेप भेज सकता है।

अनुसूची

| जिला | तालुका | गाँव | सर्वे सं. | क्षेत्रफल (हेक्ट. में) |
|--------|--------|------------|-----------|---------------------------|
| जामनगर | जामनगर | मोटी खावडी | 137 | 00-26-00 |

[सं. एल-14014/10/08-जी.पी.]
के. के. शर्मा, अवर सचिव

New Delhi, the 12th August, 2008

S. O. 2363.—Whereas it appears to Government of India that it is necessary in the public interest that for transportation of natural gas through JLPL Connectivity at Jamnagar to Essar Oil Pipeline Project in the State of Gujarat, a pipeline should be laid by GAIL (India) Limited;

And, whereas it appears to Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to Shri S.K. Rathod, Competent Authority, GAIL (India) Limited, Old Colony, Near O.N.G.C. Circle, Hazira, Surat (Gujarat).

SCHEDULE

| District | Taluka | Village | Survey No. | Area to be acquired (in hect.) |
|----------|----------|------------|------------|-----------------------------------|
| Jamnagar | Jamnagar | Motikhavdi | 137 | 00-26-00 |

[F.No. L-14014/10/08-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली 18 अगस्त, 2008

का. आ. 2364.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड-(अ) के अनुसरण में और भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1732 दिनांक 6 मई 2006 और अधिसूचना सं. का. आ. 4413 दिनांक 10 नवंबर 2006 को अधिकांश करते हुए नीचे दी गई अनुसूची के स्तम्भ 1 में उल्लिखित व्यक्ति को उक्त अनुसूची के स्तम्भ 2 में की तत्स्थानी प्रविष्टि में उल्लिखित क्षेत्र के संबंध में, उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का निर्वहन करने के लिए प्राधिकृत करती है, अर्थात् :

अनुसूची

| प्राधिकारी का नाम और पता | अधिकारिता का क्षेत्र |
|--|----------------------|
| श्री बी. भास्करन, सक्षम प्राधिकारी, भूमि अर्जन अधिकारी, तमिलनाडू राज्य, इंडियन ऑयल कॉर्पोरेशन लिमिटेड में प्रतिनियुक्ति पर नियुक्त, पेट्रोलियम पाइपलाइन परियोजनाओं के लिए, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, सक्षम प्राधिकारी का कार्यालय, नं. 10, थिरु-वि- का स्ट्रीट, राजाजीपुरम, तिरुवल्लूर-602001, तमिलनाडू | तमिलनाडू राज्य |

[सं. आर-25011/3/2008-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 18th August, 2008

S. O. 2364.— In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of the notification of Government of India in the Ministry of Petroleum and Natural Gas Number S. O. 1732 dated 06 May 2006, published in the Gazette of India on April 30, May 6, 2006 and S.O. 4413 dated 10 November 2006, published in the Gazette of India on November 12-18, 2006, namely, the Central Government hereby authorizes the person mentioned in column (1) of the Schedule below to perform the functions of Competent Authority under the provisions of the said Act, within the area mentioned in the corresponding entry in column (2) of the said Schedule:

SCHEDULE

| Name and Address of the Authority | Area of jurisdiction |
|-----------------------------------|----------------------|
| 1 | 2 |

| | |
|---|------------------------|
| Shri B.BASKARAN Competent Authority, Land Acquisition officer on deputation to Indian Oil Corporation Limited For petroleum pipeline projects. Address: Indian Oil Corporation Limited Office of the Competent Authority No.10, Thiru - Vi - Ka Street, Rajajipuram, Tiruvallur - 602001 (TamilNadu) | State of Tamil Nadu |
|---|------------------------|

[No. R-25011/3/2008-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 21 अगस्त, 2008

का.आ. 2365.—केंद्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्यप्रदेश राज्य में बीना तक कूड आयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाइपलाईन बिछाई जानी चाहिए;

और केंद्रीय सरकार को ऐसी पाइपलाईन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाब्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाईन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केंद्रीय सरकार, पेट्रोलियम एवं खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाईन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, वाडीनार-बीना कूड आयल पाइपलाईन परियोजना भारत ओमान रिफाइनरीज लिमिटेड, 8/5, वैशाली नानाखेडा बस स्टैंड के पास, उज्जैन-456010, (मध्यप्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

| तहसील : नलखेडा | जिला : राजापुर | राज्य : मध्यप्रदेश |
|-------------------|----------------|-----------------------|
| क्र. ग्राम का नाम | सर्वे नंबर | क्षेत्रफल इक्टेयर में |
| 1 | 2 | 3 |
| 1. टिकोन | 1630 मिन | 1.010 |
| | 1634 मिन | 0.134 |
| | 1634/7 | 0.125 |
| | 1663 | 0.165 |
| | 312/2 | 0.339 |
| | 1324 1 | 0.222 |
| | 1324 6 | 0.060 |
| | 1234 2 | 0.135 |
| | 1490/1 | 0.160 |

[फा. सं. आर-31015/14/2008-आ.आ. II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 21st August, 2008

S. O. 2365 .— Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of Crude Oil from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire that right of user in land under which the said pipeline is proposed to be laid and which is described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 8/5, "Vaishali", Near Nanakhed Bus Stand, Ujjain-456 010 (Madhya Pradesh).

SCHEDULE

| | | | | |
|-------------------|-------|---------------------|---------------|-----------------|
| Tehsil : Nalkheda | | District : Shajapur | State : M. P. | |
| S. No. | | Name of Village | Survey No. | Area in Hectare |
| 1 | 2 | 3 | 4 | |
| 1. | Tikon | 1630 P | 1.010 | |
| | | 1634 P | 0.134 | |
| | | 1634/7 | 0.125 | |
| | | 1663 | 0.165 | |
| | | 312/2 | 0.339 | |
| | | 1324/1 | 0.222 | |
| | | 1324/6 | 0.060 | |
| | | 1234/2 | 0.135 | |
| | | 1490/1 | 0.160 | |

[F. No. R-31015/14/2008-O.R.-II]

A. GOSWAMI, Under Secy.

श्रम एवं रोजगार मंत्रालय
नई दिल्ली, 24 जुलाई, 2008

का. आ. 2366.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 71/1990) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-07-2008 को प्राप्त हुआ था।

[सं. एल-22012(30)/F/1990-आई.आर.(सी-II)]
अजय कुमार गौड़, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT
New Delhi, the 24th July, 2008

S.O. 2366.—In pursuance of Section 17 of the Industrial Dispute Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 71/1990) of Central Government Industrial Tribunal-cum-Labour Court No.1, Chandigarh as shown in the Annexure in the Industrial dispute between the management of FCI and their workmen, received by the Central Government on 24-07-2008.

[No. L-22012(30)/F/90-IR(C-II)]
AJAY KUMAR GAUR, Desk Officer
ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No I. D. 71/90

Sh. Jagga Singh son of Shri Nanak Singh, C/o Shri P.K. Singla, General Secretary, FCI Class IV, Employees Union, Post Box No.30, Sangrur, (Punjab).

... Applicant

Versus

The District Manager, Food Corporation of India, Sangrur, (Punjab)

... Respondent

APPEARANCES

For the workman : None
For the management : Sh. Ravi Kant Sharma

AWARD

Passed on 14-7-2008

Central Government vide notification No. L-22012(30)/F/90-IR (Col-II) dated 25th May, 1990 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Food Corporation of India in terminating services of shri Jagga Singh son of Nanak Singh, Chowkidar at Bhiwanigarh w.e.f 30-4-84 is legal and justified? If

not to what relief the concerned workman is entitled to and from which date?”

2. No one is present on behalf of workman. Learned representative of the management Shri Ravi Kant Sharma is present. Since morning this reference has been called number of times. At 10.45 am, it was ordered to be placed before this Tribunal once again at 2 pm. It is 2.30 now and on repeated calls no one is present, in spite of having of full knowledge of the proceedings of this reference. The reference is as old as referred to this Tribunal in the year 1990. Even evidence of the parties are yet to be recorded. The workman is not present for his evidence. On repeated calls since morning no one is present. Accordingly, the reference is dismissed in default for non-prosecution. Central Government be informed accordingly. File to be consigned.

Chandigarh
14-7-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2367.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, सी.पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 149/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-07-2008 को प्राप्त हुआ था।

[सं. एल-42012/40/2003-आई.आर.(सीएम-II)]
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2367.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 149/2003) of the Central Government Industrial Tribunal-cum-Labour Court No.1, Chandigarh as shown in the Annexure, in the Industrial dispute between the management of Central Public works Department, and their workmen, received by the Central Government on 24-07-2008.

[No. L-42012/40/2003-IR(CM-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-1, CHANDIGARH**

Case No I.D. 149/2003

The Zonal Secretary, All India CPWD (MRM) Karamchari Sangathan, CPWD Store Building, Sector 7-B, Chandigarh.

... Applicant

Versus

The Executive Engineer, Chandigarh Central Electrical Division, CPWD, Kendriya Sadan, Sector 9-A, Chandigarh.

... Respondent

APPEARANCES*

For the workman : Sh. Rajkumar,
For the management : Sh. G.C. Babbar.

AWARD

Passed on 11-7-2008

Central Government *vide* notification, No. L-42012/40/2003-IR(CM-II) dated 21st July, 2003 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of CPWD for not regularizing the services of S/Sh. Sanjay Vermani (Wireman), Amarjeet Singh (Wireman), Deepak Kumar (Khalasi) and Ajit Singh (Khalasi) even consequent upon abolition of Contrat Labour System as per Govt. of India, Ministry of Labour's notification dated 31-7-2002 is legal and justified? If not, to what relief the concerned workmen are entitled to and from which date?

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for regularization of their services.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08, this case was fixed in Pre Lok Adalat meeting on 11-7-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the President of the union withdraws the reference. The prescribed authority of the management and the union during the hearing of this case in Pre Lok Adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Announced
11-7-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2368.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, में एरोफ्लोट इंटरनेशनल एअरलाइन्स लि. के प्रबंधन के संबंध

नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-II, नई दिल्ली के पंचाट संदर्भ (सं. 31/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-07-2008 को प्राप्त हुआ था।

[सं. एल-11012/58/2007-आई.आर.(सी-1)]
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2368.—In pursuance of Section 17 of the Industrial Dispute Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31/2007) of the Central Government Industrial Tribunal-cum-Labour Court No.2, New Delhi as shown in the Annexure, in the Industrial dispute between the management of M/s Aeroflot International Airlines Ltd. and their workmen, received by the Central Government on 24-07-2008.

[No. L-11012/58/2007-IR(C-1)]
SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER:
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI**

Presiding Officer : R. N. Rai I.D. No. 31/2007

In the matter of:—

Sh. Mohan Kumar Sharma.
S/o. Late Sh. P.C. Sharma,
R/o. D-2A 9D,
Janakpuri,
New Delhi.

Versus

Aeroflot International Airlines,
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg, New Delhi-1

Through

Mr. Igor V Ivliev
General Manager
Aeroflot Russian Airlines
Ground Floor, 15-17, Tolstoy House,
Tolstoy Marg, New Delhi-1

AWARD

The Ministry of Labour by its letter bearing No. L-11012/58/2007-IR(C-1) dated 2/7/2007 has referred the following points for adjudication which are reproduced below:—

“Whether the action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Mohan Kumar Sharma,

Traffic Assistant w.e.f. 30-12-2006 is justified and legal? If not, to what relief is the concerned workman entitled?"

The case of the workman is that he discharged his duties satisfactorily for 18 years till the end of 2006 when his services were illegally terminated by the management. He was appointed as Traffic Assistant on 01-05-1988 and as per his service conditions his superannuation is 60 years.

That the date of superannuation at the contract agreement is 60 years. That on the successful completion of probation period the workman was confirmed by the management. He worked in the capacities of Despatcher and Traffic Assistant. He was drawing salary as Despatcher which has been mentioned in the salary sheet. His employment was exclusively of a clerical and technical in nature and he is covered u/s 2(s) of the I.D. Act, 1947.

That the management coerced him to supply his biodata and photos for entering into fresh agreement otherwise his services will be terminated. The management assured him that this agreement is executed for obtaining certain facilities.

That the management compelled the applicant to execute the agreement dated 01-01-2002. He was mere a fixed term appointee for one year. There was no alternate to the applicant other than to abide by the direction of the management otherwise he would have faced termination of his services.

That the agreement dated 01-01-2002 is an illegal agreement. No employee after working for more than 13 years will convert himself into a fixed term appointee.

The case of the management is that the applicant voluntarily and willingly executed the agreement dated 01-01-2002. There was no compulsion on him. He was discharging the duties of managerial and supervisory duties. He is not a workman. The management has rightly not extended the terms of agreement for another year and his services have been legally terminated in view of agreement dated 01-01-2002 on 30-04-2006.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been filed.

The case was fixed for argument on 11-07-2008. It was again posted on 18-07-2008. The management did not turn up. Heard from the side of the workman.

From perusal of the pleading of the parties the following issues arise for adjudication :

1. Whether the applicant is a workman in view of section 2(s) of the I.D. Act, 1947 ?

2. Whether the contract dated 01-01-2002 is valid and the management has rightly terminated the services of the workman enforcing clause 25.1 of the agreement?

3. Whether the workman applicant is entitled to reinstatement ?

4. To what amount of back wages the workman applicant is entitled ?

ISSUE NO. 1

It was submitted from the side of the workman applicant that he performed Clerical duties. He was a Despatcher. There was none working under him. He himself worked.

It was submitted from the side of the management that the workman applicant worked in various managerial and supervisory capacity. The management witness has stated that the workman applicant was employed as Traffic Assistant.

The management witness has stated that he has seen the salary slip.

From perusal of the statement of this witness it becomes quite obvious that the job of this workman as Traffic Assistant.

No documents have been filed on the record to show that this workman was assigned managerial duty.

The management has stated in his cross-examination as under :

It is correct to say that Shri Mohan Kumar Sharma as per the record of the company was working as Duty Manager but I do not know the nature of his job at the airport personally.

As per the record his duties involved preparation of flight sheets, allocations sheets, duty reports, flight message check list etc.

It is correct that as per the salary slip I cannot say in what capacity Mr. Mohan Kumar Sharma was drawing his salary.

It is correct that Mr. Mohan Kumar Sharma was a permanent employee before the contract agreement was signed by Shri Mohan Kumar Sharma.

It is correct that P.F. and gratuity are paid to the employee and the same is submitted before the respective statutory authority.

I do not know whether he was working as a dispatcher or not as per the salary slip (vol.). I also do not know whether I have been drawing salary as Reservation Manager as the designation mentioned in the salary slip are in Russian.

I do not remember whether Mohan Kumar Sharma as Duty Manager imposed any disciplinary punishment on any employee but (Vol.) he reported such matters to the Airport Manager for disciplinary action.

I do not remember any name regarding whom Mr. Mohan Kumar Sharma has reported regarding disciplinary action.

It is correct that I have not seen any such guidelines for the Duty Manager.

It has been held in LLJ 1977 Delhi High Court 255 as under :—

“Managerial or administrative functions require that a person control the work of others. It does not mean that a person who does some work and gets assistants for doing that work can be described as a person working in managerial or administrative capacity. Similarly a person cannot be said to be working in a supervisory capacity merely because he has to supervise some persons who help him in doing the work he has to himself perform.”

From perusal of this judgment it becomes quite obvious that a person who supervises some person cannot be said to be working in supervisory capacity.

It has been held in AIR 1971 SCC 922 as under :

“A workman must be held to be employed to do that work which is the main work he is employed to do, even though he may be incidentally doing other type of work.”

It is quite vivid from the above that in case a workman performs some managerial duties incidentally he cannot be said to be working in managerial capacity.

It has been further held in 1966 (2) Lab. LJ (SC) as under :

“The mere fact that some supervisory duties are also carried out incidentally or as a small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity.”

Thus, from the above judgment it becomes obvious that if fraction of the work is done in supervisory capacity incidentally an employee cannot be said to be working in a managerial or in supervisory capacity.

It has been held in (1985) 3 SCC 371 as under :

“The test that one must employ in such a case is what was the primary, basic or dominant duty of the person whose status is under enquiry was employed. A few extra duties would hardly be relevant to determine his status. The words like managerial or supervisory have to be understood in their proper connotation and their mere use should not detract from the truth”.

From the above judgment it becomes quite obvious that the assignment of extra duties does not determine the status of the workman.

As per the cross-examination discussed above and in view of the settled law the applicant is a workman.

This issue is decided accordingly.

ISSUE NO. 2

It was submitted from the side of the workman that this workman worked for 18 years as a regular employee. It is admitted even to the management. A regular employee who has worked for 18 years will never accept fixed term appointment. The management coerced him to execute the agreement. The management extended the service year after year and ultimately after four years terminated his services invoking Section 25.1 of Service Contract dated 01-01-2002.

The management was certainly in better bargaining capacity. Had the workman not executed the agreement, the management would have terminated his services then and there, so he is constrained to execute the agreement.

The case of the management is that the workman applicant willingly and voluntarily executed the contract agreement dated 01-01-2002 for fixed term appointment. No regular employee will enter into contract of fixed term appointment after a service of long 18 years.

It has been held by the Hon'ble Apex Court in AIR 1986 SC that Service Rule which authorizes employer to terminate the services of a permanent employee by merely giving him three month's notice is violative of Article 14 of the Constitution of India. Such Rule is unconscionable as the parties are not equal in bargaining power. The Hon'ble Apex Court held such agreement as unfair and unreasonable in which parties are not equal in bargaining power.

The management is obviously higher in bargaining power. The management executed the contract with an ill motive to do away with the regular service of the workman and with a malafide intention to terminate his services.

The agreement dated 01-01-2002 is unfair, unreasonable and illegal. The management cannot terminate the services of a regular workman by converting him into a fixed term appointee. The agreement is not a valid one. The management cannot enforce it. The termination of the service of the workman on the basis of agreement dated 01-01-2002 is illegal.

This issue is decided accordingly.

ISSUE NO. 3

My attention was drawn to the award dated 07-12-2006. Similar issues were involved in that case also. This case contains the similar facts. My attention is also drawn to the judgment of the Hon'ble Delhi High Court in WP(C) No. 3800/2007 assailing the award dated 07-12-2006

in ID No. 157/2007. The Hon'ble High Court has affirmed the award and has held that the contract agreement is illegal and the workman has been working in the capacity of a workman. Similar facts are involved in this case. The workman applicant is a workman and termination of his services is illegal as the agreement dated 01-01-2002 is unfair and illegal. The workman applicant is entitled to reinstatement.

This issue is decided accordingly.

ISSUE NO. 4

The workman has rendered 18 years long service with the management. It is not possible for him to procure some job elsewhere. It is not the case of the management that the workman is employed somewhere else, so the workman is entitled to 100% back wages.

This issue is decided accordingly.

This reference is replied thus :-

The action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Mohan Kumar Sharma, Traffic Assistant w.e.f. 30-12-2006 is neither justified nor legal. The management should reinstate the workman along with 100% back wages and continuity of service within two months from the date of the publication of the award.

Dated : 21-07-2008

R.N. RAI, Presiding Officer.

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2369.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. एरोफ्लोट इंटरनेशनल एअरलाइंस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय (संख्या)-(11), नई दिल्ली के पंचाट (संदर्भ सं. 28/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-07-2008 प्राप्त हुआ था।

[सं. एल-11012/59/2007-आई.आर. (सीएम-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2369.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 28/2007) of Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi now as shown in the Annexure, in the Industrial dispute between the management of M/s Aeroflot International Airlines Ltd. and their workmen, which was received by the Central Government on 24-07-2008.

[No. L-11012/59/2007-IR(CM-I)]
SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI.

Presiding Officer : R. N. Rai

I.D. No. 28/2007

In the matter of:-

Sh. Rajinder Upadhyay,
S/o. Late Sh. Mast Ram Upadhyay,
R/o. B-133 1st Floor,
Hari Nagar,
New Delhi-110064

Versus

Aeroflot International Airlines,
Ground Floor, 15-17, Tolstoy House,
Tolstoy Marg, New Delhi-1

Through

Mr. Igor V Ivliev,
General Manager,
Aeroflot Russian Airlines,
Ground Floor, 15-17, Tolstoy House,
Tolstoy Marg, New Delhi-1

AWARD

The Ministry of Labour by its letter bearing No. L-11012/59/2007-IR(CM-I) dated 4-7-2007 has referred the following points for adjudication which are reproduced below :

"Whether the action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Rajinder Upadhyay, Traffic Assistant w.e.f. 30-12-2006 is justified and legal? If not, to what relief is the concerned workman entitled?"

The case of the workman is that he served the management satisfactorily for 18 years. He was as Assistant on probation for a period of Six months from 01-07-1987. As per service contract the period of superannuation is 30 years.

The case of the management is that the applicant voluntarily and willingly executed the agreement dated 01-01-2002. There was no compulsion on him. He was discharging managerial and supervisory duties. He is not a workman. The management has rightly not extended the terms of agreement for another year and his services have been legally terminated in view of agreement dated 01-01-2002 on 30-04-2006.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written

statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been filed.

The case was fixed for argument on 11-07-2008. It was again posted on 18-07-2008. The management did not turn up. Heard from the side of the workman.

From perusal of the pleading of the parties the following issues arise for adjudication:

Whether the applicant is a workman in view of section 2(s) of the ID Act, 1947?

Whether the contract dated 01-01-2002 is valid and the management has rightly terminated the services of the workman enforcing clause 25.1 of the agreement?

Whether the workman applicant is entitled to reinstatement?

To what amount of back wages the workman applicant is entitled?

ISSUE NO. 1.

It was submitted from the side of the applicant that he is a workman in view of Section 2(s) of the ID Act, 1947. No managerial duty has been assigned to him. His duty was to write letters to the different government organization when required and to sanction leave for the staff and prepare duty roster.

The case of the management is that the workman performed managerial duty. He was Assistant Manager. He was junior to Airport Manager. He performed the service in the capacity of Supervisor of the management.

The management witness has stated that the job of the workman was to write letters to different government organization and when required to sanction leave for the staff and prepare duty roster.

From this admission of the management witness it cannot be said that the workman performed any managerial duties. His duty was to write letters to the government organizations, to sanction leave for the staff and to prepare roster. Nobody worked under him. He did not supervise the work of anybody. Leave was finally granted by the Russian Manager. Preparation of Roaster duty is not a managerial duty.

It has been held in LLJ 1977 Delhi High Court 255 as under:

"Managerial or administrative functions require that a person control the work of others. It does not mean that a person who does some work and gets assistants for doing that work can be described as a person working in managerial or administrative capacity. Similarly a person cannot be said to be working in a supervisory capacity

merely because he has to supervise some persons who help him in doing the work he has to himself perform."

From perusal of this judgment it becomes quite obvious that a person who supervises some person cannot be said to be working in supervisory capacity.

It has been held in AIR 1971 SCC 922 as under:

"A workman must be held to be employed to do that work which is the main work he is employed to do, even though he may be incidentally doing other type of work."

It is quite vivid from the above that in case a workman performs some managerial duties incidentally he cannot be said to be working in managerial capacity.

It has been further held in 1966 (2) Lab LJ (SC) as under:

"The mere fact that some supervisory duties are also carried out incidentally or as a small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity."

Thus, from the above judgment it becomes obvious that if fraction of the work is done in supervisory capacity incidentally an employee cannot be said to be working in a managerial or in supervisory capacity.

It has been held in (1985) 3 SCC 371 as under:

"The test that one must employ in such a case is what was the primary, basic or dominant duty of the person whose status is under enquiry was employed. A few extra duties would hardly be relevant to determine his status. The words like managerial or supervisory have to be understood in their proper connotation and their mere use should not detract from the truth."

From the above judgment it becomes quite obvious that the assignment of extra duties does not determine the status of the workman.

The management Witness has admitted that the duty of this workman was to write letters to government organization. The nomenclature is high sounding nomenclature. He wrote letters to different government organization and prepared roster.

This issue is decided accordingly.

ISSUE NO. 2

It was submitted from the side of the workman that this workman worked for 18 years as a regular employee. It is admitted even to the management. A regular employee who has worked for 18 years will never accept fixed term appointment. The management concerned him to execute the agreement. The management extended the service year after year and ultimately after four years terminated his services invoking Section 25.1 of Service Contract dated 01-01-2002.

The management was certainly in better bargaining capacity. Had the workman not executed the agreement, the management would have terminated his services then and there, so he was constrained to execute the agreement.

The case of the management is that the workman applicant willingly and voluntarily executed the contract agreement dated 1-1-2002 for fixed term appointment. No regular employee will enter into contract of fixed term appointment after a service of long 18 years.

It has been held by the Hon'ble Apex Court in AIR 1986 SC that Service Rule which authorizes employer to terminate the services of a permanent employee by merely giving him three month's notice is violative of Article 14 of the Constitution of India. Such Rule is unconscionable as the parties are not equal in bargaining power. The Hon'ble Apex Court held such agreement as unfair and unreasonable in which parties are not equal in bargaining power.

The management is obviously higher in bargaining power. The management executed the contract with an ill motive to do away with the regular service of the workman and with a malafide intention to terminate his services.

The agreement dated 1-1-2002 is unfair, unreasonable and illegal. The management cannot terminate the services of a regular workman by converting him into a fixed term appointee. The agreement is not a valid one. The management cannot enforce it. The termination of the service of the workman on the basis of agreement dated 1-1-2002 is illegal.

This issue is decided accordingly.

ISSUE No. 3.

My attention was drawn to the award dated 7-12-2006. Similar issues were involved in that case also. This case contains the similar facts. My attention is also drawn to the judgment of the Hon'ble Delhi High Court assailing the award dated 7-12-2006 in ID No. 157/2007. The Hon'ble High Court has affirmed the award and has held that the contract agreement is illegal and the workman has been working in the capacity of a workman. Similar facts are involved in this case. The workman applicant is a workman and termination of his services is illegal as the agreement dated 1-1-2002 is unfair and illegal. The workman applicant is entitled to reinstatement.

This issue is decided accordingly.

ISSUE No. 4.

This workman has admitted that he is employed for the last three months, so this workman is entitled to full back wages minus the wages he is already getting at present.

This issue is decided accordingly.

This reference is replied thus: —

The action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Rajinder Upadhyay, Traffic Assistant w.e.f. 30-12-2006 is neither justified nor legal. The management should reinstate the workman along with full back wages minus the wages which he is already getting at present and continuity of service within two months from the date of the publication of the award.

Date: 21-7-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

क्र. आ. 2370.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. एरोफ्लोट इंटरनेशनल एअरलाइंस लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-II, नई दिल्ली के पंचाट (संदर्भ सं. 27/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-7-2008 को प्राप्त हुआ था।

[सं. एल-11012/56/2007-आई.आर. (सीएम-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2370.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 27/2007) of the Central Government Industrial Tribunal-cum-Labour Court No.2, New Delhi now as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of M/s Aeroflot International Airlines Ltd. and their workmen, which was received by the Central Government on 24-7-2008.

[No. L-11012/56/2007-IR(CM-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

Presiding Officer : R.N. Rai

I.D. No. 27/2007

In the matter of:-

Sh. Jayashankar,
S/o. Late Sh. Vasudevan,
R/o. 123 C, MIG Flats,
Rajouri Garden,
New Delhi.

Versus

Aeroflot International Airlines,
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg, New Delhi-I

Through

Mr, Igor V. Ivliev
General Manager
Aeroflot Russian Airlines
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg, New Delhi-1

AWARD

The Ministry of Labour by its letter bearing No. L-11012/56/2007-IR(CM-I) dated 4-7-2007 has referred the following points for adjudication which are reproduced below:—

“Whether the action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Jayashankar, Office Assistant w.e.f. 30-12-2006 is justified and legal? If not, to what relief is the concerned workman entitled?”

The case of the workman is that he was initially appointed on part-time basis as Office Assistant in the year 1975 w.e.f. 24-4-1975. His services were confirmed on 24-4-1975.

That the date of superannuation at the contract agreement is 60 years. That on the successful completion of probation period the workman was confirmed by the management. He worked in the capacities of Despatcher and Cargo Supervisor. He was drawing salary as Despatcher which has been mentioned in the salary sheet. His employment was exclusively of a clerical and technical in nature and he is covered u/s 2(s) of the ID Act, 1947.

That the management coerced him to supply his biodata and photos for entering into fresh agreement otherwise his services will be terminated. The management assured him that this agreement is executed for obtaining certain facilities.

That the management compelled the applicant to execute the agreement dated 1-1-2002. He was a mere appointee for one year. There was no alternate to the applicant other than to abide by the direction of the management otherwise he would have faced termination of his services.

That the agreement dated 1-1-2002 is an illegal agreement. No employee after working for more than 13 years will convert himself into a fixed term appointee.

The case of the management is that the applicant voluntarily and willingly executed the agreement dated 1-1-2002. There was no compulsion on him. He was discharging the duties of managerial and supervisory duties. He is not a workman. The management has rightly not extended the terms of agreement for another year and

his services have been legally terminated in view of agreement dated 1-1-2002 on 30-4-2006.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been filed.

The case was fixed for argument on 11-7-2008. It was again posted on 18-7-2008. The management did not turn up. Heard from the side of the workman.

From perusal of the pleading of the parties the following issues arise for adjudication:

1. Whether the applicant is a workman in view of section 2(s) of the ID Act 1947,
2. Whether the contract dated 1.1.2002 is valid and the management has rightly terminated the services of the workman enforcing clause 25.1 of the agreement?
3. Whether the workman applicant is entitled to reinstatement?
4. To what amount of back wages the workman applicant is entitled?

ISSUE No.1.

It was submitted from the side of the workman that he worked himself as a workman. He was not assigned any supervisory duty.

The management witness has stated that the job of Cargo Supervisor is lower than the Manager as per the agreement dated 1-1-2002. The management witness has further stated that the job of Cargo Supervisor is to take quantity and account the number of articles to prepare the airway bill. He has stated that he cannot say that he was drawing salary as Despatcher as per the salary slip. The salary slip has been attached with the record and the workman has been mentioned in the salary slip as Despatcher. EXC 25, C 26, C 31 are documents regarding sanction of leave. This witness has admitted that the word granted has been written by the Russian Manager. No document has been filed to show that some person subordinate to him worked under him. Leave has been finally granted by the Russian Manager. He has forwarded leave application.

From the statement of the management witness it becomes quite obvious that the workman checked the quantity and accounted the number of articles as Cargo Supervisor. No subordinate worked under him. He did not give adverse entry to any other employee. He was simply a Despatcher.

The case of the management is that the workman applicant worked in various managerial and supervisory capacity. The management witness has stated that the workman applicant was employed in the Catering Unit. His job as Catering Manager was to oversee the preparation of food and definitely he used to taste the food items for ensuring the quality of food. In addition to this he used to maintain the Catering Account and supervise on the flight.

The management witness has stated that he has seen the salary slip. The Cargo Supervisor is shown as Despatcher for accounts purposes.

It has been held in LLJ 1977 Delhi High Court 255 as under:—

"Managerial or administrative functions require that a person control the work of others. It does not mean that a person who does some work and gets assistants for doing that work can be described as a person working in managerial or administrative capacity. Similarly a person cannot be said to be working in a supervisory capacity merely because he has to supervise some persons who help him in doing the work he has to himself perform."

From perusal of this judgment it becomes quite obvious that a person who supervises some person cannot be said to be working in supervisory capacity.

It has been held in AIR 1971 SCC 922 as under:

"A workman must be held to be employed to do that work which is the main work he is employed to do, even though he may be incidentally doing other type of work."

It is quite vivid from the above that in case a workman performs some managerial duties incidentally he cannot be said to be working in managerial capacity.

It has been further held in 1966 (2) Lab LJ (SC) as under:—

"The mere fact that some supervisory duties are also carried out incidentally or as a small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity."

Thus, from the above judgment it becomes obvious that if fraction of the work is done in supervisory capacity incidentally an employee cannot be said to be working in a managerial or in supervisory capacity.

It has been held in (1985) 3 SCC 371 as under:—

"The test that one must employ in such a case is what was the primary, basic or dominant duty of the person whose status is under enquiry was employed. A few extra duties would hardly be relevant to determine his status. The words like managerial or supervisory have to be understood in their proper connotation and their mere use should not detract from the truth"

From the above judgment it becomes quite obvious that the assignment of extra duties does not determine the status of the workman.

The management witness has admitted that the duty of this workman was to see that the food items are loaded and he used to taste the food also. His duty was to oversee the preparation of food. The nomenclature of Catering Manager is high sounding nomenclature. The workman watched the preparation of food and taste the quality of the food items. So from this primary and basic duty he is a workman.

This issue is decided accordingly.

ISSUE NO. 2.

It was submitted from the side of the workman that this workman worked for 30 years as a regular employee. It is admitted even to the management. A regular employee who has worked for 30 years will never accept fixed term appointment. The management coerced him to execute the agreement. The management extended the service year after year and ultimately after four years terminated his services invoking section 25.1 of Servic Contract dated 1-1-2002.

The management was certainly in better bargaining capacity. Had the workman not executed the agreement, the management would have terminated his services then and there, so he was constrained to execute the agreement.

The case of the management is that the workman applicant willingly and voluntarily executed the contract agreement dated 1.1.2002 for fixed term appointment. No regular employee will enter into contract of fixed term appointment after a service of long 13 years.

It has been held by the Hon'ble Apex Court in AIR 1986 SC that Service Rule which authorizes employer to terminate the services of a permanent employee by merely giving him three month's notice is violative of Article 14 of the Constitution of India. Such Rule is unconscionable as the parties are not equal in bargaining power. The Hon'ble Apex Court held such agreement as unfair and un-reasonable in which parties are not equal in bargaining power.

The management is obviously higher in bargaining power. The management executed the contract with an ill motive to do away with the regular service of the workman and with a mala fide intention to terminate his services.

The agreement dated 1.1.2002 is unfair, un-reasonable and illegal. The management cannot terminate the services of a regular workman by converting him into a fixed term appointee. The agreement is not a valid one. The management cannot enforce it. The termination of the service of the workman on the basis of agreement dated 1.1.2002 is illegal.

This issue is decided accordingly.

ISSUE NO. 3.

My attention was drawn to the award dated 7-12-2006. Similar issues were involved in that case also. This case contains the similar facts. My attention is also drawn to the judgment of the Hon'ble Delhi High Court assailing the award dated 7-12-2006 in ID No. 157/2007. The Hon'ble High Court has affirmed the award and has held that the contract agreement is illegal and the workman has been working in the capacity of a workman. Similar facts are involved in this case. The workman applicant is a workman and termination of his services is illegal as the agreement dated 1-1-2002 is unfair and illegal. The workman applicant is entitled to reinstatement.

This issue is decided accordingly.

ISSUE NO. 4

The workman has rendered 30 years long service with the management. It is not possible for him to procure some job elsewhere. It is not the case of the management that the workman is employed somewhere else, so the workman is entitled to 100% back wages.

This issue is decided accordingly.

The reference is replied thus :—

The action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Jayashankar, Office Assistant w.e.f. 30-12-2006 is neither justified nor legal. The management should reinstate the workman along with 100% back wages and continuity of service within two months from the date of the publication of the award.

Dated: 21.7.2008

R. N. RAI, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2371.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार में एरोफ्लोट इंटरनेशनल एअरलाइंस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय (संख्या-11), नई दिल्ली के पचाट (संदर्भ सं. 29/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-7-2008 को प्राप्त हुआ था।

[सं. एल-11012/57/2007-आई.आर.(सीएम-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2371.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 29/2007) of Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of M/s Aeroflot International Airlines Ltd. and their workmen, received by the Central Government on 24-7-2008.

[No. L-11012/57/2007-IR(CM-I)]
SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

Presiding Officer : R.N. Rai

I.D. No. 29/2007

In the matter of:-

Shri Satish Kumar Sharma,
S/o. Late Sh. P.C. Sharma,
R/o. RZ 5 B,
Indira Park (Mangal Bazar Gali),
New Delhi - 110 045

Versus

Aeroflot International Airlines,
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg, New Delhi-1

Through

Mr. Igor V Ivliev
General Manager
Aeroflot Russian Airlines
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg, New Delhi-1

AWARD

The Ministry of Labour by its letter bearing No. L-11012/57/2007(IR(CM-I) dated 4/7/2007 has referred the following points for adjudication which are reproduced below:-

"Whether the action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Satish Kumar Sharma w.e.f. 30-4-2006 is justified and legal? If not, to what relief is the concerned workman entitled?"

The case of the workman is that he performed satisfactory work with the management for more than 30 years till the end of 2006. He was appointed as Traffic Assistant in 1976. The service contract provides that his superannuation will be at the age of 60 years.

That the date of superannuation at the contract agreement is 60 years. That on the successful completion

of probation period the workman was confirmed by the management. He worked in the capacities of Despatcher and Catering Assistant. He was drawing salary as Despatcher which has been mentioned in the salary sheet. His employment was exclusively of a clerical and technical in nature and he is covered u/s 2(s) of the ID ACT, 1947.

That the management coerced him to supply his biodata and photos for entering into fresh agreement otherwise his services will be terminated. The management assured him that this agreement is executed for obtaining certain facilities.

That the management compelled the applicant to execute the agreement dated 1.1.2002. He was a mere appointee for one year. There was no alternate to the applicant other than to abide by the direction of the management otherwise he would have faced termination of his services.

That the agreement dated 1.1.2002 is an illegal agreement. No employee after working for more than 13 years will convert himself into a fixed term appointee.

The case of the management is that the applicant voluntarily and willingly executed the agreement dated 1-1-2002. There was no compulsion on him. He was discharging the duties of managerial and supervisory duties. He is not a workman. The management has rightly not extended the terms of agreement for another year and his services have been legally terminated in view of agreement dated 1-1-2002 on 30-4-2006.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been filed.

The case was fixed for argument on 11-7-2008. It was again posted on 18-7-2008. The management did not turn up. Heard from the side of the workman.

From perusal of the pleading of the parties the following issues arise for adjudication:

1. Whether the applicant is a workman in view of section 2(s) of the ID Act, 1947?
2. Whether the contract dated 1.1.2002 is valid and the management has rightly terminated the services of the workman enforcing clause 25.1 of the agreement?
3. Whether the workman applicant is entitled to reinstatement?
4. To what amount of back wages the workman applicant is entitled?

ISSUE NO.1

It was submitted from the side of the workman that he did not perform any managerial or supervisory duty.

The case of the management is that the workman applicant worked in various managerial and supervisory capacities. The management witness has stated that the workman applicant was employed as Cargo Supervisor. He received Cargo by the Airlines and watched it.

The Management witness has admitted in his cross-examination that the workman was Cargo Supervisor. The work of Cargo Supervisor was to supervise Cargo received by the Aeroflot Airlines. The Cargo Supervisor used to work between 2.00 PM to 8.00 PM. The management witness has further stated that the work of Cargo Supervisor is to receive Cargo and to ensure that it was placed at the right location in the Cargoware House.

According to the statement of this management witness this workman supervised Cargo. He did not supervise the work of any employee subordinate to him.

The management witness has admitted that this workman has been shown as despatcher in salary slip.

The management witness said that he has seen the salary slip. The Cargo Supervisor is shown as Despatcher for accounts purposes.

From perusal of the statement of this witness it becomes quite obvious that the job of this workman was to watch the cargo.

No documents have been filed on the record to show that this workman was assigned managerial duty. He was Cargo Supervisor in a sense that he used to receive Cargo and measure cargo.

It has been held in LLJ 1977 Delhi High Court 255 as under:

"Managerial or administrative functions require that a person control the work of others. It does not mean that a person who does some work and gets assistants for doing that work can be described as a person working in managerial administrative capacity. Similarly a person cannot be said to be working in a supervisory capacity merely because he has to supervise some persons who help him in doing the work he has to himself perform."

From perusal of this judgment it becomes quite obvious that a person who supervises some person cannot be said to be working in supervisory capacity.

It has been held in AIR 1971 SCC 922 as under:

"A workman must be held to be employed to do that work which is the main work he is employed to do, even though he may be incidentally doing other type of work."

It is quite vivid from the above that in case a workman performs some managerial duties incidentally he cannot be said to be working in managerial capacity.

It has been further held in 1966 (2) Lab (SC) as under:—

“The mere fact that some supervisory duties are also carried out incidentally or as a small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity.”

Thus, from the above judgment it becomes obvious that if fraction of the work is done in supervisory capacity incidentally an employee cannot be said to be working in a managerial or in supervisory capacity.

It has been held in (1985) 3 SCC 371 as under:—

“The test that one must employ in such a case is what was the primary, basic or dominant duty of the person whose status is under enquiry was employed. A few extra duties would hardly be relevant to determine his status. The words like managerial or supervisory have to be understood in their proper connotation and their mere use should not detract from the truth.”

From the above judgment it becomes quite obvious that the assignment of extra duties does not determine the status of the workman.

The nomenclature of Cargo Supervisor is high sounding nomenclature. The workman watched the cargo and got it loaded. So from this primary and basic duty he is a workman.

This issue is decided accordingly.

ISSUE NO.2

It was submitted from the side of the workman that this workman worked for 30 years as a regular employee. It is admitted even to the management. A regular employee who has worked for 30 years will never accept fixed term appointment. The management coerced him to execute the agreement. The management extended the service year after year and ultimately after four years terminated his services invoking section 25.1 of Service Contract dated 1-1-2002.

The management was certainly in better bargaining capacity. Had the workman not executed the agreement, the management would have terminated his services then and there, so he was constrained to execute the agreement.

The case of the management is that the workman applicant willingly and voluntarily executed the contract agreement dated 1-1-2002 for fixed term appointment. No regular employee will enter into contract of fixed term appointment after a service of long 30 years.

It has been held by the Hon'ble Apex Court in AIR 1986 SC that Service Rule which authorizes employer to terminate the services of a permanent employee by merely

giving him three month's notice is violative of Article 14 of the Constitution of India. Such Rule is unconscionable as the parties are not equal in bargaining power. The Hon'ble Apex Court held such agreement as unfair and un-reasonable in which parties are not equal in bargaining power

The management is obviously higher in bargaining power. The management executed the contract with an ill motive to do away with the regular service of the workman and with a malafide intention to terminate his services.

The agreement dated 1.1.2002 is unfair, un-reasonable and illegal. The management cannot terminate the services of a regular workman by converting him into a fixed term appointee. The agreement is not a valid one. The management cannot enforce it. The termination of the service of the workman on the basis of agreement dated 1-1-2002 is illegal.

This issue is decided accordingly.

ISSUE NO.3

My attention was drawn to the award dated 7.12.2006. Similar issues were involved in that case also. This case contains the similar facts. My attention is also drawn to the judgment of the Hon'ble Delhi High Court in WP(C) No.3800 of 2005 assailing the award dated 7.12.2006 in ID No. 157/2007. The Hon'ble High Court has affirmed the award and has held that the contract agreement is illegal and the applicant has been working in the capacity of a workman. Similar facts are involved in this case. The workman applicant is a workman and termination of his services is illegal as the agreement dated 1.1.2002 is unfair and illegal. The workman applicant is entitled to reinstatement.

This issue is decided accordingly.

ISSUE NO.4

The workman has rendered 30 years long service with the management. It is not possible for him to procure some job elsewhere. It is not the case of the management that the workman is employed somewhere else, so the workman is entitled to 100% back wages.

This issue is decided accordingly.

This reference is replied thus:

The action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Satish Kumar Sharma w.c.f. 30-4-2006 is neither justified nor legal. The management should reinstate the workman along with 100% back wages and continuity of service within two months from the date of the publication of the award.

Dated: 21-7-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2372.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. जेट एअरवेज (इंडिया) लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक/श्रम न्यायालय (सं.-II) नई दिल्ली के पंचाट (संदर्भ सं. 145/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-7-2008 प्राप्त हुआ था।

[सं. एल-11012/17/99-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2372.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 145/1999) of the Central Government Industrial Tribunal-cum-Labour Court No-2, New Delhi now as shown in the annexure, in Industrial dispute between the employers in relation to the management of M/s. Jet Airways (India) Ltd. and their workmen, which was received by the Central Government on 24-7-2008.

[No. L-11012/17/99-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER:
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI**

Presiding Officer: R.N. RAI

I.D. No. 145/1999

In the Matter of:

Sh. Ram Krishna,
R/o. E-4, Rajouri Garden,
New Delhi.

—Claimant

VERSUS

The General Manager,
Jet Airways (India) Limited,
13, Community Centre,
Yusuf Sarai,
New Delhi-110016.

—Respondent

AWARD

The Ministry of Labour by its letter No. L-11012/17/99 (C-1) Central Government Dt. 18-5-1999 has referred the following point for adjudication.

The points run as hereunder :—

“Whether the action of the management in preventing the workman Sh. Ram Krishna, Loader-cum-Cleaner to come on duty w.e.f. 6-3-1998 is legal

and justified? If not, to what relief the workman is entitled.”

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman was employed with the respondent management w.e.f. 29-11-1993, as loader-cum-cleaner, and his last drawn salary was Rs. 2700 P. M.

That at the time of appointment of workman and even thereafter no appointment letter was given to the workman. Though, whenever workman asked from the management about his appointment letter the management always on one pretext or the other evaded from giving any such letter or even giving any convincing reply to this effect.

That the workman was employed by the management in the capacity of loader-cum-cleaner. The workman was performing his duties with utmost sincerity and honesty and had a good performance record.

That the workman was made to work on shift basis and quite often, his duty hours were beyond normal duty hours, thus the workman was often working in extended duty hours, against which he was never compensated. Besides this no other mandatory benefits namely leave casual leave and other facilities, bonus etc. were not given by the management to the workman.

That the workman is legally entitled to receive that the aforesaid benefits which management is mala fide withholding. The workman was making persistent efforts to receive all the benefits to which he was legally entitled by making repeated requests before the management but all fell into deaf ears.

That the management by creating a connected and false story framed incorrect allegation upon the workman and eventually terminated the workman w.e.f. 30-3-1998 illegally without even complying with the statutory requirements of labour welfare legislations. Neither any enquiry was held nor any hearing given to the workman. Before the conciliation officer the management has relied on breath analyzer test and accused the workman of having been drunk. The workman states that no such test was ever conducted in him and the alleged report has been concocted by the management with the sole intention, illegally, arbitrarily and mala fide to throw out the workman.

That on 5-3-98 the workman approached the management to seek leave w.e.f. 6th March, 1998. The management asked the workman to sign on blank paper putting the date of 6th March below the signature so that the leave application can be filled up by some official and leave be granted. The workman however, refused to sign on blank paper instantly, and instead requested to prepare a leave application first, so that he can put his signature

undereath it later. This request of the workman was however turned down by the management and the workman was told that in case he does not put his signature now, as asked by the management, leave shall not be granted to him.

The workman who is an innocent illiterate person unaware of the intentions and ill designs of the management left with no other alternative, but to put his signature on a blank paper, by putting the date of the 6th March, under it.

Thereafter, when on 30-5-1998, workman reached the office to resume his duties, he was informed that his resignation dated 6th March, 1998 was accepted by the management and he now need not come to office again. It appears that the blank paper on which the workman put his signature believing it to be leave application was misused by the management as his resignation letter. The workman immediately sent a demand notice copy of which is annexed herewith.

It is pertinent to mention here that no enquiry was held and also no prior notice was served upon the workman to this effect. Also no charge sheet was issued. That, also no blood test was performed to determine whether the workman was actually working under the influence of alcohol or not. Even, after termination no retrenchment compensation was paid to the workman. These act, are thus clearly violative of the statutory provisions.

The Management has filed written statement. In the written statement it has been stated that the claimant was employed as a Loader-cum-Cleaner with the Management and worked in this capacity from January 14, 1995 till March 6, 1998. On several occasion during the course of his service the Claimant's superiors noticed that his breath was smelling of alcohol and that he appeared to be intoxicated and under the influence of liquor. He was warned on several occasions that coming to work under the influence of alcohol could not be tolerated, especially in the sensitive airport area, where a person under the influence of alcohol was liable to be a grave danger to himself as well as to others. In spite of counseling the Claimant appeared to have found it difficult to abstain from alcohol and thus repeated such behaviour on several occasions.

On March 6, 1998 the Claimant once again attended duty while under the influence of alcohol. In view of his past lapses in this regard, he was sent for an immediate medical check up, to the Company's Doctor, Dr. S.C.B. Bhati. Dr. Bhati checked the Claimant and also conducted a Breath analyzer Test in the presence of Shri Ganeshan, Customer Service Officer. The Doctor reported that the Claimant was smelling of alcohol and that content of alcohol in his blood was high according to the Breath Analyser Test. The Doctor also reported that the "individual admits consuming alcohol".

The claimant was asked to meet the Airport Manager in order to explain his conduct. The Airport Manager once again counseled the claimant and informed him that in view of these repeated incidents of intoxication, there would be no option but to initiate disciplinary action against him. The Airport Manager also asked him whether he would like to undergo some treatment in order to overcome his dependence of alcohol. At this juncture the Claimant pleaded that if disciplinary action was taken against him for attending duty under the influence of liquor, he would face grave disrepute and humiliation with his family members as well as in his community. He pleaded that he should be allowed to resign from service and begged that the facts regarding consumption of alcohol and attending duty under the influence thereof should not be disclosed to anybody. He categorically stated that he wished to resign from service with immediate effect. The Airport Manager accordingly asked him to tender his resignation in writing if he wished to resign, which would be considered on its own merits.

The claimant then went out of the Airport Manager's cabin and got one of his fellow employees in the office to write out a resignation letter from him. He personally signed the said resignation letter dated March 6, 1998 and wrote the date 6-3-98 below his signature in his own handwriting. He then went to the Airport Manager once again and tendered the said written resignation letter to him at 10.45 a.m. on the same day, i.e. March, 6 1998. The resignation was accepted with immediate effect by the Airport Manager and the claimant was relieved from service on the same day. He was asked to come back and collect his dues, if any, after 2-3 days.

From the time when he tendered his resignation letter on March 6, 1998 onwards, the claimant never attended duty as he had resigned from service of his own accord, and had ceased to be in the employment of the Company. The attendance register clearly shows that the claimant had resigned and did not attend duty after March 6, 1998.

After resigning from service on March 6, 1998 for his own personal reasons as set out above, the claimant did not at any stage make any grievance either to the Company or to any other Authority until at least March 31, 1998. Though is a member of the Union.

Bhartiya Kamgar Sena, neither the claimant nor the Union raised any grievance about the alleged termination or taking of signature on blank papers or any other allegations whatsoever. Neither the Union nor the claimant filed any police complaint or complaint to any authority whatsoever. Indeed, the claimant does not appear to have approached his Union at all, thus making it clear that he has falsely tried to build up a belated and concocted case against the company long after he resigned from service and ceased to attend his duties.

It was only by his letter dated March 31, 1998 that for the first time, the claimant tried to make up a false case against the management. Realising that he would not be able to explain his complete silence in the matter, from March 6, 1998 till March 30, 1998 without complying with law. In the letter dated March 31, 1998 he falsely alleged that he has demanded certain facilities and that in view of this demand, his services were allegedly terminated on March 30, 1998. He also false alleged that his signature was taken on a blank sheet of paper on March 30, 1998. He sought to raise a false claim of illegal termination and consequently he demanded reinstatement in service by the said letter.

The claim of the claimant is utterly and completely false. There is no question of taking his signature on any blank sheet of paper as falsely alleged. The claimant not only signed the resignation letter which he got one of his colleagues to prepare for him, but he also wrote the date in his own handwriting below the said signature. If the claimant had allegedly signed on a blank sheet of paper on March 30, 1998 as he has now falsely claimed, there would be no question of writing the dated "6-3-98" below his signature. Furthermore, if his services had been terminated on March 30, 1998 as falsely claimed by him, then his attendance would have been marked on the working days from March 7, 1998 till March 30, 1998 in the attendance register. On the contrary, after March 06, 1998 the attendance register shows that he has resigned and accordingly no attendance is recorded thereafter.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard both the side and perused the papers on the record.

It transpires from perusal of the order sheet that opportunity to cross-examination the management witness by the workman was closed on 15-7-2008 after giving three opportunities and the argument of the parties was heard.

It was submitted from the side of the workman that he was appointed by the management in the capacity of Loader-cum-Cleaner. That the workman was making persist efforts to get all the legal benefits but the management was annoyed and he started harassing the workman.

It was further submitted that the management created a false and concocted story on incorrect allegations upon the workman and eventually terminated the services of the workman w.e.f. 30-03-1998 without

complying with the statutory requirements of Labour Welfare Legislations without holding any inquiry. It was alleged that the workman was found under the influence of alcohol and breathalyzer test was conducted and he himself resigned on 6-3-1998.

It was further submitted that the workman was asked to sign on blank paper putting the date 6th March and below the signature so that the leave application can be filled up by some officers and leave be granted. The management compelled the workman to put signature on the blank paper otherwise leave will not be granted to him. The workman put his signature on the blank paper and put the date 6th March below it.

It was submitted that the workman reached the management on 30-5-1998 to resume his duty and he was informed that resignation dated 6th March, 1998 was accepted by the management and now he will not come to office again. The management mis-used the leave application as resignation letter. The workman was removed without conducting any domestic inquiry.

It was submitted from the side of the management that the workman was in the habit of coming to duty under influence of alcohol. He was asked several times not to come in drunken state and warning to him was given on several occasions.

It was further submitted that on 6-3-1998 the workman attended duty under the influence of alcohol. He was immediately sent to medical checkup to the Company Doctor. The Doctor Sh. S.C.B. Bhati reported that the claimant was smoking of alcohol and the contains of alcohol in his blood was high according to the breathalyzer test.

It was further submitted that the workman was asked to meet Airport Manager and Airport Manager advised him to overcome his depends of alcohol otherwise disciplinary action will be taken. The workman pleaded that he should be allowed to resign from service as he will be humiliated within his family members as well in his community he will face great dis-repute in case disciplinary action is taken.

It was further submitted that he reached to resign from service with immediate effect. He went out of the cabin of the Airport Manager and he got resignation letter written in his own handwriting at 10:45 AM as he was asked to come back to collect his dues. The claimant never reported for duty after 6th March, 1998.

It transpires from perusal of the record that the reference is regarding the termination of the services of the workman, w.e.f. 6-3-1998 whereas the case of the workman is that his services were terminated on 30-3-1998.

The management has filed on record the resignation letter of the workman dated 6-3-1998. It has been signed by the workman at 10:45 hours and the workman has put his signature. The management has filed documents to establish that resignation letter was accepted on 16-3-1998. The management vide letter dated 20-3-1998 sent the acceptance letter and the bank clearance and the PF form to him for collecting his legal dues in full and final settlement.

The original death certificate of the workman is filed. The workman expired on 24-3-2002. The management has filed photocopy of the report of the Doctor. The Doctor conducted breathalyzer test and reported that the workman was smoking of alcohol. Alcohol was present in his blood and he himself admitted of consuming alcohol.

These documents are photocopy no doubt but these documents have not been denied by the workman. So the management has not filed the originals of the documents. Smt. Anu, W/o. the workman has been examined. She has admitted that the workman did not make any complaint to the union Bhartiya Kamgar Sena of which he was the member regarding his termination or signatures on blank papers. She has also stated that she has no knowledge of breathalyzer test which was conducted on the workman on 6-3-1998.

It becomes quite obvious from perusal of the record and on the basis of the documents that the workman was found in a drunken state while on duty on 6-3-1998 and he was sent for medical checkup and the Doctor sent the report regarding his drunkenness and the workman resigned out of his own will on 6-3-1998 so that he may not face humiliation in case disciplinary action is taken against him.

The workman after 06-03-1998 did not make any complaint. It is only on 31-03-1998 that the workman has sent legal demand notice regarding his termination w.e.f. 30-03-1998. The demand notice is regarding termination dated 30-03-1998 whereas the reference is for stopping the workman from resuming duty on 06-03-1998. It has not been explained as to why before conciliation officer the stand of being stopped from duty from 06-03-1998 was taken.

In the conciliation proceedings the workman has taken the plea that he was stopped from resuming duty on 6-3-1998. On 06-3-1998 and 30-6-1998 the workman has made no complaint to any authorized union. Had he been stopped from resuming his duty he would have necessarily brought the union and other party and should have made complaint of the same.

It appears that after legal advice the workman has tried to convert his resignation letter as leave application and he has taken the plea that he was compelled to sign on blank paper and he was asked to give dated 06-3-1998.

For lack of complaint in between 06-3-1998 to 30-6-1998 it becomes quite obvious that the case of signing on blank paper for leave on 06-3-1998 is concocted and forged story. The workman resigned on 06-3-1998 and put his signature therein as he wanted to evade the disciplinary proceedings so that he may not be humiliated among his family members as well as in the community.

Photocopy of resignation letter dated 06-3-1998 has not been denied by the workman though it is photocopy but there is no endorsement of denial on this photocopy.

From the above it becomes quite obvious that the workman resigned out of his sweet will on 06-3-1998 while he was found under influence of alcohol and he was asked to get himself medically examined. There is report of the Doctor. There is acceptance of his resignation letter and he was advised to collect his dues.

It appears that after legal advice the workman concocted the story of making his resignation letter signed on blank paper for leave on 6-3-1998.

The workman was not stopped from resuming duty on 06-03-1998 as has been alleged in his claim statement.

The reference is replied thus : —

The action of the management in preventing the workman Sh. Ram Krishna, Loader cum Cleaner to come on duty w.e.f. 06-03-1998 is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 22-07-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2373.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. एरोप्लो इंटरनेशनल एअरलाइंस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय (संख्या-11) नई दिल्ली के पंचाट (संदर्भ सं. 26/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-07-2008 को प्राप्त हुआ था।

[सं. एल-11012/55/2007-आई.आर. (सीएम-1)]

स्नेह लता जवांस, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2373.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.

26/2007) of the Central Government Industrial Tribunal/Labour Court No. 2, New Delhi now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. Aeroflot International Airlines Ltd. and their workmen, which was received by the Central Government on 24-7-2008.

[No. L-11012/55/2007-IR(CM-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT-II, NEW DELHI

Presiding Officer : R.N. RAI

I.D. No. 26/2007

In the Matter of:

Sh. Yash Kumar Sen,
S/o. Late Baleer Kumar Sen,
R/o D-2/2351,
Vasant Kunj,
New Delhi.

Versus

Aeroflot International Airlines,
Ground Floor, 15-17, Tolstoy House
Tolstoy Marg,
New Delhi-1

Through

Mr. Igor V Ivliev
General Manager,
Aeroflot Russian Airlines,
Ground Floor, 15-17, Tolstoy House,
Tolstoy Marg, New Delhi-1.

AWARD

The Ministry of Labour by its letter bearing No. L-11012/55/2007 (IR (CM-I) dated 2-7-2007 has referred the following points for adjudication which are reproduced below:—

“Whether the action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Yash Kumar Sen w.e.f 30-4-2006 is justified and legal? If not, to what relief is the concerned workman entitled?”

The case of the workman is that he was engaged on probation of six months in the Catering Department on 1st December, 1993 incorporating therein the terms and conditions with which both the parties had been bound.

That the date of superannuation at the contract agreement is 60 years. That on the successful completion of probation period the workman was confirmed by the management. He worked in the capacities of Despatcher

and Catering Assistant. He was drawing salary as Despatcher which has been mentioned in the salary sheet. His employment was exclusively of a clerical and technical in nature and he is covered U/s 2 (s) of the ID Act, 1947.

That the management coerced him to supply his biodata and photos for entering into fresh agreement otherwise his services will be terminated. The management assured him that this agreement is executed for obtaining certain facilities.

That the management compelled the applicant to execute the agreement dated 1-1-2002. He was a mere appointee for one year. There was no alternate to the applicant other than to abide by the direction of the management otherwise he would have faced termination of his services.

That the agreement dated 1-1-2002 is an illegal agreement. No employee after working for more than 13 years will convert himself into a fixed term appointee.

The case of the management is that the applicant voluntarily and willingly executed the agreement dated 1-1-2002. There was no compulsion on him. He was discharging the duties of managerial and supervisory duties. He is not a workman. The management has rightly not extended the terms of agreement for another year and his services have been legally terminated in view of agreement dated 1-1-2002 on 30-4-2006.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been filed.

The case was fixed for argument on 11-7-2008. It was again posted on 18-7-2008. The management did not turn up. Heard from the side of the workman.

From perusal of the pleading of the parties the following issues arise for adjudication :

1. Whether the applicant is a workman in view of Section 2(s) of the ID Act, 1947?
2. Whether the contract dated 1-1-2002 is valid and the management has rightly terminated the services of the workman enforcing clause 25.1 of the agreement?
3. Whether the workman applicant is entitled to reinstatement?
4. To what amount of back wages the workman applicant is entitled?

ISSUE NO. 1

It was submitted from the side of the workman applicant that he performed Clerical duties. He was a Despatcher. There was none working under him. He himself worked.

It was submitted from the side of the management that the workman applicant worked in various managerial and supervisory capacity. The management witness has stated that the workman applicant was employed in the Catering Unit; His job as Catering Manager was to oversee the preparation of food and definitely he used to taste the food items for ensuring the quality of food. In addition to this he used to maintain the Catering Account and supervise on the Flight.

The management witness has stated that he has seen the salary slip. The Catering Manager is shown as Despatcher for accounts purposes.

From perusal of the statement of this witness It becomes quite obvious that the job of this workman as Catering Manager was to oversee the preparation of food and he used to taste the quality of food.

No documents have been filed on the record to show that this workman was assigned managerial duty. He was Catering Manager in a sense that he used to look after the food items and he tasted the food item's quality.

It has been held in LLJ 1977 Delhi High Court 255 as under:—

"Managerial or administrative functions require that a person control the work of others. It does not mean that a person who does some work and gets assistants for doing that work can be described as a person working in managerial or administrative capacity. Similarly a person cannot be said to be working in a supervisory capacity merely because he has to supervise some person who help him in doing the work he has to himself perform."

From perusal of this judgment it becomes quite obvious that a person who supervises some person cannot be said to be working in supervisory capacity.

It has been held in AIR 1971 SCC 922 as under:

"A workman must be held to be employed to do that work which is the main work he is employed to do, even though he may be incidentally doing other type of work."

It is quite vivid from the above that in case a workman performs some managerial duties incidentally he cannot be said to be working in managerial capacity.

It has been further held in 1966 (2) Lab LJ (SC) as under:—

"The mere fact that some supervisory duties are also carried out incidentally or as a small fraction of the work done by him will not convert his employment as a clerk into one in supervisory capacity."

Thus, from the above judgment it becomes obvious that if fraction of the work is done in supervisory capacity

incidentally an employee cannot be said to be working in a managerial or in supervisory capacity.

It has been held in (1985) 3 SCC 371 as under:—

"The test that one must employ in such a case is what was the primary, basic or dominant duty of the person whose status is under enquiry was employed. A few extra duties would hardly be relevant to determine his status. The words like managerial or supervisory have to be understood in their proper connotation and their mere use should not detract from the truth".

From the above judgment it becomes quite obvious that the assignment of extra duties does not determine the status of the workman

The management witness has admitted that the duty of this workman was to see that the food items are loaded and he used to taste the food also. His duty was to oversee the preparation of food. The nomenclature of Catering Manager is high sounding nomenclature. The workman watched the preparation of food and taste the quality of the food items. So from this primary and basic duty he is a workman.

This issue is decided accordingly.

ISSUE NO. 2

It was submitted from the side of the workman that this workman worked for 13 years as a regular employee. It is admitted even to the management. A regular employee who has worked for 13 years will never accept fixed term appointment. The management coerced him to execute the agreement. The management extended the service year after year and ultimately after four years terminated his services invoking Section 25.1 of Service Contract dated 1-1-2002.

The management was certainly in better bargaining capacity. Had the workman not executed the agreement, the management would have terminated his services then and there, so he was constrained to execute the agreement.

The case of the management is that the workman applicant willingly and voluntarily executed the contract agreement dated 1-1-2002 for fixed term appointment. No regular employee will enter into contract of fixed term appointment after a service of long 13 years.

It has been held by the Hon'ble Apex Court in AIR 1986 SC that Service Rule which authorizes employer to terminate the services of a permanent employee by merely giving him three month's notice is violative of Article 14 of the Constitution of India. Such Rule is unconscionable as the parties are not equal in bargaining power. The Hon'ble Apex Court held such agreement as unfair and un-reasonable in which parties are not equal in bargaining power.

The management is obviously higher in bargaining power. The management executed the contract with an ill motive to do away with the regular service of the workman and with a mala fide intention to terminate his services.

The agreement dated 1-1-2002 is unfair, unreasonable and illegal. The management cannot terminate the services of a regular workman by converting him into a fixed term appointee. The agreement is not a valid one. The management cannot enforce it. The termination of the service of the workman on the basis of agreement dated 1-1-2002 is illegal.

This issue is decided accordingly.

ISSUE NO. 3

My attention was drawn to the award dated 7-12-2006. Similar issues were involved in that case also. This case contains the similar facts. My attention is also drawn to the judgment of the Hon'ble Delhi High Court assailing the award dated 7-12-2006 in ID No. 157/2007. The Hon'ble High Court has affirmed the award and has held that the contract agreement is illegal and the workman has been working in the capacity of a workman. Similar facts are involved in this case. The workman applicant is a workman and termination of his services is illegal as the agreement dated 1-1-2002 is unfair and illegal. The workman applicant is entitled to reinstatement.

This issue is decided accordingly.

ISSUE NO. 4

The workman has rendered 13 years long service with the management. It is not possible for him to procure some job elsewhere. It is not the case of the management that the workman is employed somewhere else, so the workman is entitled to 100% back wages.

This issue is decided accordingly.

This reference is replied thus:

The action of the Management of Aeroflot, Russian International Airlines, New Delhi in dismissing the services of Shri Yash Kumar Sen w.e.f. 30-4-2006 is neither justified nor legal. The management should reinstate the workman along with 100% back wages and continuity of service within two months from the date of the publication of the award.

Dated: 21-7-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 24 जुलाई, 2008

का. आ. 2374.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब एण्ड सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय (नं.-2) नई दिल्ली के पंचाट (संदर्भ सं.

72/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-7-2008 प्राप्त हुआ था।

[सं. एल-12011/52/2007-आई.आर. (बी-11)]

राजिन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th July, 2008

S.O. 2374.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 72/2007) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Punjab & Sind Bank and their workmen, received by the Central Government on 24-7-2008.

[No. L-12011/52/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Presiding Officer: R.N. RAI

I.D. No. 72/2007

In the Matter of:

The General Secretary,
Punjab & Sind Bank Staff Union
E-6, Cannought Place,
New Delhi-110001

VERSUS

The Managing Director,
Punjab & Sind Bank,
21, Rajendra Place
New Delhi-110008.

AWARD

The Ministry of Labour by its letter No. L-12011/52/2007-IR (B-II) Central Government dated 30-10-2007 has referred the following point for adjudication.

The points run as hereunder:—

“Whether the action of the management of Punjab & Sind Bank, Rajendra Place, New Delhi in deducting the salary of the 13 workmen (as per the enclosed list) is legal and justified? If not, to what relief the concerned workmen are entitled?”

Reference was received in December, 2007. No claim was filed upto 15th July, 2008. Opportunity for filing claim was closed.

No dispute Award is given.

Date: 18-7-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2008

का. आ. 2375.—औद्योगिक अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान कॉपर लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 1/1987) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-7-2008 को प्राप्त हुआ था।

[सं. एल-43012/33/85-D-III(B)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th July, 2008

S.O. 2375.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947) the Central Government hereby published the award (Ref. No. 1/1987) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Hindustan Copper Ltd. and their workmen, which was received by the Central Government on 25-7-2008.

[No. L-43012/33/85-D-III(B)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10 (1) of the Industrial Dispute Act, 1947.

Reference No. 1 of 1987

Parties : Employers in relation to the management of Hindustan Copper Ltd.

AND

Their Workmen

Present : Shri M. M. Singh, Presiding Officer.

APPEARANCES :

For the Employers : Shri D.K. Verma, Advocate.
For the Workman : Shri S.N. Goswami, Advocate.
State : Jharkhand. Industry : Copper

Dated the 30th June, 2008.

AWARD

By Order No. L-43012/33/85-D-III (B) dated the 6th May, 1987, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.

“Whether the management was justified in awarding punishment of dismissal from service to Shri Madhesh Sharma, Ex- Male Mazdoor, B. No. 705 for absents from duty for more than 10 consecutive days without leave for the first time? If not to what relief is the workmen entitled?”

2. The case of management, as per written statement, is that the present reference is state as it has been made only ten years after the dismissal of the concerned workman, Madhesh Sharma from service. The substantive case of the management is that the concerned workman was initially appointed in the Mosabani Group of Mines the management as a Male Mazdoor w.e.f. 17-11-1969 on a purely temporary basis for a period of three months. He was re-appointed as male mazdoor again on 5-5-1970. He had an extremely bad record of services he was found to be habitually absents from duty without permission and without sanctioned leave. He was punished on number on occasions and was finally warned thrice to the effect that he would be dismissed from service if he continued to be absent from duty in an unauthorised manner. Entries with regard to punishment awarded to him were duly made in his service Card. The Certified Standing Orders of the Company classify the acts of misconduct into two categories, viz, (i) those which are considered as “less flagrant cases” and (ii) those which come within the scope of “flagrant cases” Clause 9(viii) of the Certified Standing Orders provides; inter-alia, absence without leave for more than ten consecutive days as a case coming within the scope of “flagrant breach” and provides for punishment of dismissal from service. The Standing Orders in question also provides that in dealing with “less flagrant and habitual cases”, the General Manager or the Mines Superintendent will issue before final discharge a verbal warning to the offender/employees concerned and mark it down in his service card giving him a last chance. In the case of concerned workman, he was awarded final warning with four days suspension. He was also verbally warned by the Mines Superintendent in his office on that occasion. In spite of so many punishments and warnings there was absolutely no improvement in the conduct of the concerned workman in so far as his attendance was concerned. He again absented from duty in an unauthorised manner from 4-2-1978 without any intimation to the management. He turned up at the Mines Time Office on 16-2-1978 after absents from duty in an unauthorised manner and also without any intimation to the management from 4-2-1978. In fact he proceeded on sanctioned leave to his native place for the period from 24-1-1978 to 3-2-1978 and was required to resume his duty on 4-2-1978. But he failed to do so and when he turned up at the Time Office of the Mines on 16-2-1978, he was directed to report to the Mines Supdt.'s Office without further delay by the Head of the Department. On the same day the Chief Mechanical Engineer (Mines) also sent a communication to the Mines Department informing that the concerned workman

absented without leave for eleven days from 4-2-1978 to 15-2-1978 and that he was not in the hospital and had not sent any information as to his whereabouts. On receipts of the above communication the concerned workman was issued with a chargesheet dated 17-2-1978 and his explanation was called as to why situation action should not be taken against him under Clause 9(viii) of the Company's Certified Standing Orders for misconduct of absence without leave since 4-2-1978. He submitted his explanation on 18-2-1978 to the chargesheet stating that he was under treatment for gastric trouble from 4-2-1978 to 18-2-1978 and he is now fit for resuming his duty. He also requested the management to excuse him this time and also referred to a medical certificate stated to have been attached with his explanation. But actually he did not attach any such medical certificate. He, however, submitted a medical certificate dated 18-2-1978 to 22-2-1978 issued by Dr. Md. S. N. Ansari, Aganoor (Gaya) stating that he was suffering from gastric trouble and was under the treatment of Dr. Ansari from 4-2-1978 to 18-2-1978 and that he was fit for duty. It was evident that the concerned workman managed to get the certificate subsequently. There was another serious discrepancy in his stand that if it was his case that he was under the treatment of his Doctor at Gaya upto 18-2-1978, then how he could have reported for duty at Mosaboni Mines on 16-2-1978. The explanation submitted by him was not found satisfactory and a detailed enquiry was ordered to be held by Sh. Ashok Kumar, Administrative-cum-Legal Asstt. Sri Ashok Kumar held the enquiry accordingly and the concerned workman fully participated in the enquiry. The enquiry was held in conformance to the principles of natural justice. On the basis of the enquiry held by him, the Enquiry Officer submitted his report finding the concerned workman guilty of the charge framed against him. The report of the Enquiry Officer was considered by the General Manager who agreed with the findings of the Enquiry Officer. The General Manager accepted the findings of the Enquiry Officer and finding that there was no extenuating circumstances to justify any lenient consideration, he came to the conclusion that the concerned workman should be dismissed from service with immediate effect. Accordingly, the concerned workman was dismissed from service by letter dated 8/10-7-1978. It is alleged that the concerned workman had indulged in utter falsehood in regard to the grounds on which he absented from duty. He did not show any improvement inspite of numerous warnings and as a last resort his services were terminated. The management has further stated that they have a system of providing employment against a temporary vacancy. Since the concerned workman was not debarred from future employment he was given further employment after his dismissal from service against temporary vacancy :—

- (i) from 18-6-1981 to 18-9-1981, and
- (ii) from 23-11-1981 to 23-1-1982.

Since there was no requirement for his service, he was not provided employment and the management is

unable to offer him any further employment as it is having surplus worker.

In the circumstances, the management has submitted that the action taken by it against the concerned workman in dismissing him from services is justified.

3. The case of the concerned workman, as appearing from the written submitted on his behalf, is that the concerned workman was appointed on 17-11-1969 as Male Mazdoor. The management stopped him from work illegally on 17-1-1970, but again re-employed him on 4-5-1970. He was performing his duties since then continuously till 10-7-1978. The management with an ill-motive again dismissed him from service from 11-7-1978. However, the management again reinstated him in service as Male Mazdoor and allowed him to perform his duty w.e.f. 18-6-1981. He was performing his duties continuously. Again the management stopped him from work and again he was allowed to resume his duty as Male Mazdoor for a period of two months and after that again the management terminated his services. Being aggrieved by the order of the management the present industrial dispute was raised before the A.L.C.(C), Chaibasa. The Conciliation Officer started conciliation proceeding but that ended in a failure. Thereafter the appropriate Government was pleased to refer the present dispute for adjudication by the Tribunal. It is alleged that the management stopped the concerned workman from work on several occasions with an intention not to regularise him in service, and upon vague allegation for absents from duty for more than ten consecutive days without leave awarded punishment of dismissal from service which is a major punishment.

In the circumstances, the concerned workman has prayed that he be reinstated in services with full back wages.

4. In rejoinder to the written statement of the concerned workman the management has denied and disputed every contention made therein.

In rejoinder to the written statement of the management the concerned workman has stated that the management illegally and arbitrarily dismissed him from service and the management illegally stopped him from work on several occasions. He has further alleged that he was not allowed to participate in the enquiry proceedings. The management did not provide him reasonable opportunity to defend himself nor did it issue any chargesheet by competent authority. The relevant papers presented before the Enquiry Officer were not read over to him.

5. In the additional written statement the concerned workman has stated that he was dismissed from service without any chargesheet and that the fact of holding domestic enquiry is false. The order of dismissal was passed without serving him any chargesheet and without asking for his explanation and hence the order of dismissal of service is arbitrary and illegal.

In rejoinder to the additional written statement of the concerned workman the management has stated that the concerned workman, in his additional written statement, has made a departure from the statement of facts as made in his written statement and so the facts stated in the additional written statement are not worthy of consideration.

6. The above reference case was decided by this Tribunal in favour of the workman vide its Award dated 30-6-1989, against which the management filed writ petition before Hon'ble High Court and the Hon'ble High Court, Patna, Ranchi Bench, Ranchi, vide CWJC No. 1965 of 1989(R) dated 4-9-1998 set aside the Award passed by this Tribunal dated 30-6-1989 and ordered that the reference be decided by this Tribunal afresh in accordance with law.

7. The main argument on behalf of the learned counsel of the workman is that the employee was on sanctioned leave from 24-1-1978 to 3-2-1978 and he became ill, so he came to join at the Time Office on 16-2-1978 and on enquiry he was dismissed from service which is grave punishment and his absence without leave under Clause 9(viii) of the Company's Standing Orders treats minor misconduct.

I have gone through the Company's Standing Orders Clause 9 which prescribed that the General Manager of the Company and the Mine Superintendent in case of flagrant breach of the Mines Act reserve the right to dismiss summarily any permanent employee without notice or compensation in lieu thereof who after proper investigation is found guilty of absence without leave for more than 10 consecutive days.

In the present case there is no dispute that the workman was absent from duty more than 10 consecutive days.

As regards medical certificate which has been filed by the workman shows that the certificate is dated 18-2-1978 and it has been issued on 18-2-1978, but the workman reported for duty on 16-2-1978 which shows that this has been prepared and fabricated to show his illness. Moreover, this also confirms because of the fact that above certificate was obtained subsequently. Moreover, as per record, the employee belongs to Arroh District and he has said that he had gone to his native place which also is mentioned in his medical certificate, but the above medical certificate has been issued from Gaya District which shows that either the workman had gone to his native place in the district of Arroh which is quite away from District Gaya. This certificate also states that the workman was under the treatment of a private practitioner from 4-2-1978 to 18-2-1978. It also confirms and supports the case of the management that the certificate has been obtained by the workman with connivance of above Dr. and the certificate should have been produced by him when he reported for his duty on 16-2-1978.

8. Learned counsel for the management argued that the workman is a habitual absentee. As per his service

record he has been warned number of times for his habitual absentee. He was suspended due to absent vide Chit No. 14070 dated 22-4-1978 and again from 7-11-1969 to 11-7-1978. The management filed Annexure 'B' of total period of workman's unauthorised absence (which is annexed with the award as Annexure).

His service record shows that he was suspended for absence on 17-7-1974, 28-8-1975, 3-5-1976, 20-1-1977 and 22-4-1978. It shows that he is habitual absentee.

9. Learned counsel for the workman argued that fair enquiry has not been conducted because of the fact that the workman does not know English. Learned counsel for the management argued that he knows English. He has signed nomination paper and other papers in English.

Paper filed the management, Form 'B' Pt. I relates for employees employed in mine, signature of the workman is in English and also regarding paper-payment of wage-sheet (Central) Form 'F' in nomination he has filled the paper which is in English which has been attested by witness regarding nomination signed by the workman. So, there is no force in argument of learned counsel of the workman that the workman does not know English and the enquiry was conducted in English. So it does not effect and so it cannot be presumed that the enquiry was not fair.

10. Learned counsel of the management referred a judgement of Hon'ble High Court, Patna, Ranchi Bench, Ranchi, passed in Civil Writ Jurisdiction Case No. 1965 of 1989 (R) and the Hon'ble High Court at page 5, para 7 found that the workman's case does not come within the purview of absence without leave for more than ten consecutive days and his case falls under category of "less flagrant misconduct" and the Hon'ble High Court held that the order of this court that the workman's conduct is "less flagrant misconduct" has not been appreciated.

11. The Hon'ble High Court in para 8 has laid down that the award of the Tribunal is based on erroneous assumption. The Tribunal assumed that the workman did not remain absent without for more than ten consecutive days. The Tribunal has erred in calculation. As para 14 as well as other paras of the award, the workman remained absent from duty from 4-2-1978 to 15-2-1978, i.e., 12 days which is undoubted for more than ten days. The workman's case, therefore, falls under the category of "flagrant misconduct", which the standing orders treat as of serious nature entailing dismissal from service of the workman.

12. The Hon'ble High Court in page 6, para 9 has laid down that the certified standing orders has classified the misconduct in two categories—"flagrant misconduct" and "less flagrant misconduct". The Certified Standing Orders, which are binding on the parties, themselves treat the absence for more than ten consecutive days as a case of flagrant breach of duty, it is not open and proper to discard the same and come to a conclusion regarding quantum of punishment independently of it. The Tribunal's finding

with regard to punishment being harsh and disproportionate to the misconduct is based on the erroneous assumption, namely, the workman not being absent for more than ten consecutive days and that finding is contrary to the materials on record. The Hon'ble High Court laid down that such award cannot be sustained and also Annexure-7 which has been filed by the management which indicates that on several occasions the workman has remained absent without leave and he was issued warnings and was also awarded minor punishments of suspension for such absence.

13. The learned counsel for the management referred a decision of Hon'ble Supreme Court reported in 2008(1) Supreme Court Cases (L&S) 164 between L & T Komatau Ltd. Vs. N.Udaykumar in which Hon'ble Supreme Court laid down that habitual absenteeism amounts to gross violation of discipline—where the workman who had been in the past found guilty of unauthorised absenteeism several times, so in a proper conducted departmental enquiry once again found guilty of unauthorised absence for a long period held consequential dismissal from service ought not to have been treated to be harsh.

In this respect the Hon'ble Supreme Court also referred a case in Mahindra and Mahindra Ltd. vs. N.B. Narawade (Sec P. 141 para 20) in which Hon'ble Supreme Court held—

"It is not doubt true that after introduction of Section 11-A in the Industrial Dispute Act, certain amount of

discretion is vested with the Labour Court/Industrial Tribunal in inter-ferring with the quantum of punishment awarded by the management where the workman concerned is found guilty of misconduct. The said area of discretion has been very well defined by the various judgements of this Court referred to hereinabove and it is certainly not unlimited as has been observed by the Division Bench of the High Court. The discretion which can be exercised under Section 11-A is available only on the existence of certain factors like punishment being disproportionate to the gravity of misconduct so as to disturb the conscience of the court, or the existence of any mitigating circumstances which require the reduction of the sentence, or the past conduct of the workman which may persuade the Labour Court cannot by way of sympathy alone exercise the power under section 11-A of the Act and reduce the punishment."

14. In the result, I render the following award—

The action of the management in awarding punishment of dismissal from service to Sri Madhesh Sharma for absence from duty for more than ten consecutive days without leave for the first time is justified. Hence, the concerned workman is not entitled to any relief.

In the circumstances of the case, I award no costs.

H.M. SINGH, Presiding Officer

ANNEXURE

List showing Unauthorised Absence of Sri Madhesh Sharma, Ex-8, No. 705 during his employment

| Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : |
|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| 9-10-1970 | 6-10-1971 | 28-5-1972 | 13-6-1972 | 22-10-1973 | 16-4-1974 |
| 13-10-1970 | 27-10-1971 | 30-5-1972 | 14-6-1972 | 30-10-1973 | 17-4-1974 |
| 7-11-1970 | 3-12-1971 | 31-5-1972 | 15-6-1972 | 2-11-1973 | 18-4-1974 |
| 19-11-1970 | 16-12-1971 | 1-6-1972 | 30-6-1972 | 3-11-1973 | 19-4-1974 |
| 21-11-1970 | 20-12-1971 | 2-6-1972 | 3-7-1972 | 19-11-1973 | 20-4-1974 |
| 10-12-1970 | 21-1-1972 | 3-6-1972 | 18-8-1972 | 26-11-1973 | 21-4-1974 |
| 12-12-1970 | 25-1-1972 | 4-6-1972 | 1-9-1972 | 27-11-1973 | 22-4-1974 |
| 4-1-1971 | 5-2-1972 | 5-6-1972 | 7-9-1972 | 29-11-1973 | 23-4-1974 |
| 5-1-1971 | 1-3-1972 | 6-6-1972 | 19-9-1972 | 30-11-1973 | 24-4-1974 |
| 10-2-1971 | 2-3-1972 | 7-6-1972 | 5-3-1973 | 13-12-1973 | 25-4-1974 |
| 10-7-1971 | 5-4-1972 | 8-6-1972 | 14-3-1973 | 17-12-1973 | 26-4-1974 |
| 10-8-1971 | 17-5-1972 | 9-6-1972 | 15-4-1973 | 15-1-1974 | 27-4-1974 |
| 19-8-1971 | 23-5-1972 | 10-6-1972 | 21-5-1973 | 16-1-1974 | 28-4-1974 |
| 17-9-1971 | 26-5-1972 | 11-6-1972 | 19-7-1973 | 4-2-1974 | 29-4-1974 |
| 28-9-1971 | 27-5-1972 | 12-6-1972 | 29-9-1973 | 21-3-1974 | 30-4-1974 |

| Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : | Date of unauthorised absence : |
|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| 1-5-1974 | 15-11-1974 | 13-6-1975 | 19-5-1976 | 19-2-1977 | 14-11-1977 |
| 2-5-1974 | 7-12-1974 | 9-7-1975 | 11-6-1976 | 25-2-1977 | 15-11-1977 |
| 3-5-1974 | 8-12-1974 | 10-7-1975 | 9-7-1976 | 26-2-1977 | 16-11-1977 |
| 4-5-1974 | 9-12-1974 | 23-7-1975 | 18-7-1976 | 28-2-1977 | 25-11-1977 |
| 5-5-1974 | 10-12-1974 | 2-8-1975 | 21-7-1976 | 5-3-1977 | 23-1-1978 |
| 6-5-1974 | 24-12-1974 | 3-8-1975 | 23-7-1976 | 23-3-1977 | 4-2-1978 |
| 7-5-1974 | 27-12-1974 | 9-8-1975 | 3-8-1976 | 14-5-1977 | 5-2-1978 |
| 8-5-1974 | 21-1-1975 | 4-9-1975 | 16-8-1976 | 18-5-1977 | 6-2-1978 |
| 9-5-1974 | 8-2-1975 | 16-9-1975 | 18-8-1976 | 19-5-1977 | 7-2-1978 |
| 10-5-1974 | 20-2-1975 | 18-9-1975 | 24-8-1976 | 21-5-1977 | 8-2-1978 |
| 11-5-1974 | 6-3-1975 | 30-9-1975 | 27-8-1976 | 29-5-1977 | 9-2-1978 |
| 26-6-1974 | 17-3-1975 | 11-10-1975 | 28-8-1976 | 11-6-1977 | 10-2-1978 |
| 9-7-1974 | 19-3-1975 | 17-10-1975 | 6-9-1976 | 13-6-1977 | 11-2-1978 |
| 31-7-1974 | 24-3-1975 | 20-10-1975 | 10-9-1976 | 8-7-1977 | 12-2-1978 |
| 3-8-1974 | 25-3-1975 | 4-11-1975 | 11-9-1976 | 30-7-1977 | 13-2-1978 |
| 10-8-1974 | 27-3-1975 | 11-11-1975 | 30-9-1976 | 5-8-1977 | 14-2-1978 |
| 13-8-1974 | 7-4-1975 | 22-11-1975 | 9-10-1976 | 11-10-1977 | 15-2-1978 |
| 29-8-1974 | 16-4-1975 | 24-11-1975 | 19-10-1976 | 22-10-1977 | 16-2-1978 |
| 10-9-1974 | 17-4-1975 | 25-11-1975 | 14-12-1976 | 24-10-1977 | 17-2-1978 |
| 24-9-1974 | 6-5-1975 | 27-11-1975 | 8-1-1977 | 25-10-1977 | 18-2-1978 |
| 5-10-1974 | 7-5-1975 | 29-11-1975 | 11-1-1977 | 26-10-1977 | 19-2-1978 |
| 10-10-1974 | 8-5-1975 | 2-12-1975 | 14-1-1977 | 27-10-1977 | 20-2-1978 |
| 18-10-1974 | 9-5-1975 | 24-12-1975 | 15-1-1977 | 28-10-1977 | 24-2-1978 |
| 24-10-1974 | 10-5-1975 | 6-1-1976 | 22-1-1977 | 29-10-1977 | 28-2-1978 |
| 29-10-1974 | 20-5-1975 | 13-1-1976 | 12-2-1977 | 9-11-1977 | 11-3-1978 |
| 31-10-1974 | 28-5-1975 | 29-4-1976 | 15-2-1977 | 11-11-1977 | 12-3-1978 |
| 2-11-1974 | 10-6-1975 | 18-5-1976 | 16-2-1977 | 12-11-1977 | 10-4-1978 |
| | | | | | 12-4-1978 |
| | | | | | 12-6-1978 |

नई दिल्ली, 25 जुलाई, 2008

का. आ. 2376.—औद्योगिक अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.पी.सी.एल. संग्रह के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, चंडीगढ़ के पंचाट (संदर्भ संख्या आई. डी. सं.—123/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-7-08 को प्राप्त हुआ था।

[सं. एल-30012/52/2003 आई. आर.(एम.)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th July, 2008

S.O.-2376.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby published the Award (Ref.No. I.D.

No.—123/2004) of the Central Government Industrial Tribunal/Labour Court, No. 1, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BPCL, Sangrur and their workman, which was received by the Central Government on 25-7-2008.

[No. L-30012/52/2003-IR(M)]

KAMAL BAKHRU, Desk Officer
ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT - I
CHANDIGARH

Case No. I D 123/2004

Sh. Shiv Kumar S/o. Sh. Kishan Lal C/o Sh. Suresh Kumar
Sharma, 30 Friend Colony, New Laxmi Palace, Patiala

Applicant

New Delhi, the 25th July, 2008

Versus

- (1) The Dy. General Manager, (Aviation, Bharat Petroleum Corpn. Ltd. plot no., A-5, Sec-1, Noida (U.P.))-201 301.
- (2) The CMD, Bharat Petroleum Corpn. Ltd. Bharat Bhawan, 4 & 6 Currimbhoy Road, Ballard Estate, Mumbai-400001.
- (3) The Territory Manager (Retail), Bharat Petroleum Corpn. Ltd., Jind Road, Punjab, Sangrur.

Respondent

APPEARANCES

For the Workman : None
For the Management : Mr. Kaushal

AWARD

Passed on 9-7-2008

Central Government vide notification No. L-30012/52/2003-IR(M), dated 19-12-2004, has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Bharat Petroleum Corporation Ltd., Sangrur, in terminating the service of Shri Shiv Kumar S/o Shri Kishan Lal w.e.f. 18-1-2003, without giving any notice and without any payment of retrenchment payment is illegal and justified? If so, to what relief the concerned workman is entitled and from which date?”

2. No one is present on behalf of workman. Learned representative of the management Shri Kaushal is present. Since morning this reference has been called number of times. at 10.45 am, it was ordered to be placed before this Tribunal once again at 2 pm. It is 2.30 now and on repeated calls no one is present, inspite of having of full knowledge of the proceedings of this reference. The reference is as old as referred to this Tribunal in the year 2004. On repeated calls since morning no one is present. Accordingly, the reference is dismissed in default for non-prosecution. Central Government be informed accordingly. File to be consigned.

Chandigarh, 9-7-2008.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 25 जुलाई, 2008

का. आ. 2377.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मै. बालमेर लौरी एण्ड कम्पनी लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-11, नई दिल्ली, के पंचाट (संदर्भ सं. 11/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-7-2008 प्राप्त हुआ था।

[सं. एल-30011/66/2000-आई.आर. (एम)]

कमल बाखरू, डेस्क अधिकारी

S.O. 2377.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. ID No. 11/2001) of Central Government Industrial Tribunal-cum-Labour Court No. II New Delhi, now as shown in the Annexure, in the Industrial dispute between the management of M/s. Balmer Lawrie and Co. Ltd. and their workmen, received by the Central Government on 25-7-2008.

[No. L-30011/66/2000-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER, CENTRAL
GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-II NEW DELHI**

Presiding Officer: R.N. Rai.

I.D. No. 11/2001

IN THE MATTER OF:

Balmer Lawrie & Co. Workers Union ...
Core No.8, Scope Building,
Lodhi Road Complex,
New Delhi.

Versus

1. Balmer Lawrie & Co. Ltd.,
Core No.8, Scope Building, Lodhi Road,
New Delhi.
2. Suraksha Security Services Pvt. Ltd.,
53-D. DDA Flats, Masjid Moth,
Phase - II, New Delhi.

AWARD

The Ministry of Labour by its letter No. L-30011/66/2000/IR(M) CENTRAL GOVERNMENT DT: 24-01-2001 has referred the following point for adjudication.

The point runs as hereunder :

“Whether the demand raised by Balmer Lawrie Co. Workers Union for regularization of services of Shri Vivek Ranjan, Shri S.K. Mishra, Shri Pannod Kumar, Shri Gautam Poddar, Sh. Satish Sharma and Shri Vinod Mehra w.e.f. 2-2-1997, 17-12-1997, 21-1-1994, 1-10-1997, 29-4-1995, 1-5-1997 respectively with the management of M/s Balmer Lawrie is just and legal? If yes, then what relief the said workman entitled to and from what date?”

The workmen applicants have filed claim statement. In the claim statement they have stated that they were interviewed and selected by the respondent management to work in its Cargo Department in different years.

The designations given to them by the respondent management and their dates of joining the office of the respondent management and the nature of duties mainly assigned to them by the respondent are shown against their names in para 1 of the claimant statement, it has been stated that Despite it being a law that a person/workman who has completed 240 days work in an organization becomes entitled to be regularized there, the respondent management has not regularized the above noted workmen even after their having worked for years together.

It is therefore, a petition for regularization of the said workmen with retrospective effect. The work of the workmen for which they are used by the respondent management is of such a continuing nature that the workmen are not only used by them during office hours but are used after office hours also for hours together. This fact further makes the case of the workmen for regularization strong.

Despite the respondent management having been using the services of the workmen in question according to their own requirements and the workmen are issued even the identity cards of the organization of the respondents for using their services as their employees outside the organization also but when the question of the regularization of the workmen is raised the respondents arbitrarily and unlawfully refuses to recognize them as their own employees. The relevant documents in this regard are filed on records of this Hon'ble Court for kind perusal and action of this Hon'ble Court on the same.

Instead of regularizing the workmen, the respondent management started showing them wrongfully and unlawfully as labour of one contractor known as "Suraksha Security Services Pvt. Ltd." 53-D, DDA Flats, Masjid Moth, Phase-II, New Delhi from the year 1997 even when they were neither interviewed nor selected by him to work in the office of the respondent management and the workmen instead having been interviewed and selected for different posts as shown above by the respondent management itself. The respondent management is getting the workmen paid their salary etc. through the said contractor to confuse the matter even when the said contractor has nothing to do with them as submitted and shown above. The respondent management is doing so as if by doing it they can escape the responsibility of regularizing the said workmen. The law is very clear on the matter and the respondent management cannot escape their responsibility of regularizing these workmen even by claiming them to be working in its office as contract labour of some contractor particularly when each one of these workmen have been working in the office of the respondent management for years and for more than 240 days. There is a judgment of the Haryana High Court in which it has been held that the workmen who has worked in some Department, Factory etc. for more than 240 days is entitled to regularization of his job in that department, factory. In the case of Greater Noida Mahila Samiti Safai Kamgar Union Versus Greater No

ida Authority, the management of Greater Noida authority was not regularizing the services of 300 Gardeners and other workmen who had been working there for the last 4-5 years. The management took the plea that the said 300 workmen were not being regularized since they were working in Greater Noida Authority as contract labour of some contractor but this plea of the management was not accepted by the Labour Court, Gautambudh Nagar and the Hon'ble Allahabad High Court, where the case was referred for adjudication. The court held that since the workmen have worked in Greater Noida Authority for more than 240 days, they are entitled for regularization of their job. Press cutting of the judgement is filed on records of this Hon'ble Court for its kind perusal and action. In the case of Haryana State Electricity Board in which it had engaged 42 workmen through a contractor for one year, the Hon'ble Supreme Court held that since the workmen had worked there for more than 240 days they were entitled for regularization even if they had been engaged as labour of the contractor.

It is further submitted that the Hon'ble Supreme Court held in the case of "Standard Vacuum Refining Co. of India Ltd. Vs. Workmen (1960) 5 SCR 540; AIR 1963 SC 569" that when the workmen raised the dispute that the company should employ workmen directly and not through contractor in carrying on its work then this is undoubtedly a real and substantial dispute between the parties regarding the manner in which the work of the Company should be carried on through the regular workmen.

Otherwise also the activities of the respondent management require the work force on permanent basis and not on contract basis as shown above.

Since the workmen have not been regularized by the respondent management and are not being paid the salaries of the posts given to them as are being paid to the other occupants of these posts on regular basis, the respondent management may please be directed to pay interim relief of Rs. 3000.00 p.m. to the said workmen till finalization of this case. The workmen have suffered exploitation as mentioned above including deprivation of due and lawful wages for years together. The things have become worst with the introduction of artificial entity in the shape of contractor, i.e. M/s Suraksha Security Services (P) Ltd. from the year 1997.

That the workmen are entitled to be regularized against the posts held by them alongwith salary which is payable to regular workman of the respondent management and others in Govt. Semi Govt. Offices. The management has arbitrarily and unlawfully refused to do the same despite repeated requests of the applicant union and the concerned workmen. The applicant Union represented to the office of the Regional Labour Commissioner (Central) thereafter and the conciliatory proceedings were held on the same. But the respondent management refused to regularize the workmen even before the Ld. Conciliation Officer and forced

him to refer the case for its disposal to the Hon'ble concerned authorities and to this Hon'ble Court. Copies of relevant documents on the matter are placed on records of this Hon'ble Court for its perusal and action.

The Management has filed written statement. In the written statement it has been stated that the answering respondent is a public sector undertaking under the administrative control of Ministry of Petroleum and Natural Gas having its Corporate Office in Calcutta. It is engaged in diversified activities, viz., manufacturing, trading and services, consultancy, travel, tours, cargo operations, handling agents, etc.

In Delhi, the answering respondent is engaged in the business of travel, tours and cargo operations. The cargo city-office is situated at Nehru Place, New Delhi and the Air Port Office is situated at Nangal Dairy, New Delhi. Thus, the answering respondent carries out the work of handling agents and the need for labour depends on the requirement and exigencies of business which keep fluctuating depending on the business received by the answering respondent.

The Cargo office of the answering respondent always engaged the services of a contractor for performing such jobs both in its Air Port as well as the city-offices. The claimants are such employees of the contractor's. The present contractor is M/s. Suraksha Security Services Pvt. Ltd. (respondent No. 2 herein) having its registered office at 53 D, D.D.A. Flats, Masjid Moth Phase-II, New Delhi - 110048. The claimants are directly under the employment of the said Suraksha Services Pvt. Ltd. in the Cargo establishment of the answering respondent in its Nehru Place and Air Port offices; employment of staff to carry on the work as handling agents ranges from 4 to 8. The number, however, fluctuates depending on the exigencies of business. The maximum of such staff at any point of time is between 10-13.

That in the establishment of the answering respondent for the aforesaid work at no point of time exceeded more than 13 employees, ranging from 4 to 10 employees at any point of time. Sometimes in 1994 the answering respondent initially engaged the services of M/s. Pushp Personnel - when the said contractor was engaged by the answering respondent to perform the said specialized job. Claimant's Nos. 1 and 5 were the employees of the said contractor.

Thereafter sometimes in 1997, a need arose to change the aforesaid contractor and the answering respondent engaged the services of M/s. Rahis and Sons and thereafter M/s. Suraksha Security Services Ltd. when claimants Nos. 1 and 5 joined the services of respondent No. 2 and the other claimants who were initially under the employment of M/s. Rahis and Sons and decided to join (together with claimants Nos. 1 and 5) M/s. Suraksha Security Services

Pvt. Ltd. Respondent No. 2 herein who are the present contractors.

The claimants at no point of time were under the employment and or control of the answering respondent nor is under its employment and/or control. The salary of the said claimants at all point of time were paid and is being paid by the said contractors. The claimant's claim of being the employees of the answering respondent is therefore, without any basis and substance.

Not only this, the claimants are not discharging their duties. The Respondent No. 2, employer of the claimants have issued letter dated 6-8-1999 to them to discharge their duties in accordance with the instructions issued to them from time to time.

Not only this, the said six claimants, have *vide* letter dated 22-11-1999 addressed to respondent No. 2 and the said requested the said respondent to consider their demand for increase in their salaries and allowances. From a bare perusal of the said letter dated 22-11-1999 it is abundantly clear that the said six claimants are the employees of respondent No. 2 and not that of the answering respondent. Thus, *vide* the said letter dated 22-11-1999 they have admitted to be employees of respondent No. 2. They are now estopped from taking any contrary stand.

The answering respondent verily believes that M/s. Suraksha Security Services Pvt. Ltd. Respondent No. 2 has acceded to the request of the said claimants and enhanced their salaries/allowances on the assurance given by them to the effect that they would discharge their duties diligently.

That initially, the said claimants, who are employees of M/s. Suraksha Security Pvt. Ltd. filed an application dated 2-7-1999 before the Asstt. Labour Commissioner, falsely claiming therein for regularization of their services by the answering respondent. Thereafter, another application dated 15-5-2000 was filed by them before the Asstt. Labour Commissioner. Contents of both the applications were not only similar but also identical. Appropriated replies dated 13-9-1999 and 19-6-2000 were filed to both the applications.

The said Statement of Claim on behalf of the aforesaid claimants have been made by Balmer Lawrie and Co. Workers Union and countersigned by one R. Dahiya for and on behalf of Balmer Lawrie and Co. Workers Union. It is submitted that the said claimants are not the employees of the answering respondent and therefore the Union have no *locus standi* to represent on their behalf and file the present statement of claim. Since the said claimants are not the employees of the answering respondent, they are not the members of Union and cannot claim to be so. The membership of the Union is restricted to the employees

who are workmen (and not officers) of the answering respondent. The membership of the Union is defined in clause 4 (i) of the Constitution of the Union.

Even otherwise, the said claimants do not fall under the definition of "workmen" in the Industrial Disputes. Admittedly, on their own statement in the Statement of Claim the claimants are designated as 'officer'. No industrial disputes can be initiated, referred and/or raised by 'officers' of any organization. The statement of claim is liable to be dismissed on this ground alone.

The workmen applicants have filed rejoinder. In the rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workmen that Sh. Vivek Ranjan, Shri S.K. Mishra, Shri Parmod Kumar and Sh. Satish Sharma have settled their case with respondent Nos. 1 and 2. Sh. Vinod Mehra and Sh. Gautam Poddar have been contesting this case.

It was submitted that the case of Sh. Gautam Poddar is that he was assigned duty on Cargo Department w.e.f. 01-10-1997. He was preparing job file which contained bills with respect to the work performance involving customers clearance of sea and air consignment and dealing in support of consignment by both sea and air.

It was submitted that the case of Sh. Vinod Mehra was posted as Cargo Assistant w.e.f. 1-5-1997 and he was doing regularization cases with AAI and the customers authority, doing transparent of export consignment for HAL for all the branches.

It was further submitted that they worked directly under the control and supervision of the management. They have completed 240 days service. They have filed this case for regularization.

It was submitted from the side of the management that Sh. Poddar and Sh. Vinod Mehra were contractor's workmen. They performed duties at the instructions of the contractor. The contractor allotted work to them of different organizations. They were engaged by the contractor.

It was submitted from the side of the workmen that contract is sham. They were directly engaged by the management. They worked under the control and supervision of respondent No. 1.

It was submitted from the side of the management that contractor M/s. Pushp Personal Network and M/s. Suraksha Security appointed these workmen.

It was further submitted that appointment letter was issued to the workmen by the contracting agency. They disposed all the work assigned to them by the contractors.

From perusal of the records it becomes quite obvious that these workmen were appointed by the contractors on a fixed sum. The management did not issue any appointment letter to them. The management has filed contract agreement photocopy of contract agreement dated 28-9-1994 with M/s. Pushp Personnel has been filed. The management has filed contract agreement of M/s. Suraksha Security also. The management has filed photocopy vouchers. These vouchers indicate that lumpsum payment has been made to the contractors. The workmen have not filed any document to show that payment to them was made directly by the management. The ESI and EPF were also deposited by the contractor.

From the claim statement it becomes quite obvious that Sh. Vinod Mehra was working for Hindustan Aeronautics Limited and Gautam Poddar in export in consignment by both sea and air.

The contractor engaged these workmen for courier services. The workmen performed their duties under the control and supervision of the contractor. Photocopy of the appointment letters have been filed. Thus, the workmen were engaged by the contractors. They performed duties under the contractor of several department. The management entered into agreement with the contractors for courier services and the contractor engaged these workmen for the courier services of respondent No. 1.

There is no proof on the record that respondent No. 1 allotted them duties and they worked under the control and guidance of respondent No. 1.

In Pollock Law of Torts a servant and an independent contractor has been defines as under :

The distinction between a servant and a independent contractor has been the subject matter of a large volume of ease-law from which the text-book writers on torts have attempted to lay down some general tests. For example, in Pollock's Law of Torts, (Pages 62 & 63 of Pollock on Torts, 15th Edn.) the distinction has thus been brought out:

"A master is one who not only prescribes to the workman the end of his work, but directs or at any moment may direct the means also, or, as it has been put, retains the power of controlling the work, a servant is a person subject to the command of his master as to the manner in which he shall do his work . . . An independent contractor is one who undertakes to produce a given result but so that in the actual execution of the work is not under the order or control of the person for whom he does it, and may use his own discretion in things not specified beforehand....."

In Salmond's Treatise on the Law of Torts the distinction between a servant and independent contractor has been indicated as under :—

"What then, is the test of this distinction between a servant and an independent contractor? The test is the existence of a right of control over the agent in respect of the manner in which his work is to be done. A servant is an agent who works under the supervision and direction of his employer; an independent contractor is one who is his

own master. A servant is a person engaged to obey his employer's orders from time to time; an independent contractor is a person engaged to do certain work, but to exercise his own discretion as to the mode and time of doing it - he is bound by his contract, but not by his employer's orders."

In the instant case the workmen have failed to establish that there was relationship of employer and employee between respondent no.1 and the workmen.

The contract of courier services cannot be said to be a work of regular in nature. Such services can be awarded on contract basis. The workmen are not entitled to regularization.

The reference is replied thus:

The demand raised by Balmer Lawrie Co. Workers Union for regularization of services of Shri Vivek Ranjan, Shri S.K. Mishra, Shri Parmod Kumar, Shri Gautam Poddar, Sh. Satish Sharma and Shri Vinod Mehra w.e.f. 2-2-1997, 17-12-1997, 21-1-1994, 1-10-1997, 29-4-1995, 1-5-1997 respectively with the Management of M/s. Balmer Lawrie is neither just nor legal. The workmen applicants are not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 15.07.2008

R. N. RAI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2008

का. आ. 2378.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै.यूरेनियम कॉर्पोरेशन ऑफ इंडिया लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, धनबाद, के पंचाट (संदर्भ सं. 48/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-07-2008 को प्राप्त हुआ था।

[सं. एल-29012/17/1992-आईआर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th July, 2008

S.O. 2378.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 48/1994) of the Central Government Industrial Tribunal-cum-Labour Court No. I Dhanbad, now as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of M/s. Uranium Corporation of India Ltd. and their workmen, which was received by the Central Government on 25-7-2008.

[No. L-29012/17/1992-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

PRESENT:

Shri H. M. Singh, Presiding Officer

In the matter of a reference under Section 10(1)(d)(2-A) of the ID Act, 1947

Reference No. 48 of 1994

PARTIES Employers is relation to the management of Uranium Corporation of India Ltd., Jadugoda Mines

AND

Their workman

APPEARANCES:

On behalf of the Employers : Shri P. R. Rakshit, Advocate.

On behalf of the workmen : Shri S. N. Goswami, Advocate
State : Jharkhand : Industry : Uranium.

Dated, Dhanbad, the 15 July, 2008

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29012/17/92-IR (Misc.) dated 3-2-1994.

SCHEDULE

"Whether the order dated 21-9-1992 of the management of the Uranium Corporation of India Ltd., Jadugoda Mine to dismiss the workman Sh. Purna Chandra Dhar, Drillman 'C' Token No. 1379 is justified or not? If not what relief the workman is entitled to and since when?"

2. The workman and the sponsoring union appeared and filed written statement stating therein that the management is engaged in mining and processing uranium ore to get uranium out of it and the Standing Order has been duly certified under the Industrial Employment (Standing Orders) Act, 1946. It is further said that the workman was employed in the mines of the company around the year 1969 as Drillman 'C' and since then he was performing his duty with unblemished record of service till his dismissal which was improper, unjustified and it is said that there was 50 groups known as Crew, consisting of one drillman and 2 helpers in each group and there was no standard norm for drilling a particular number of meters per crew during 8 hours duty in a day. It is also said that he was doing unblemished record of service, but all on a sudden he was served with a chargesheet dated 30-4-92 alleging that he had resorted to go slow tactics with effect from 13-3-92 to 18-4-92 resulting reducing in production. It was

also said that even after pursuance given by the management he did not give normal production and deliberately slowing down the work and disobeyed the order and for that chargesheet was issued. He was required to show cause within 48 hours and he submitted written explanation denying the allegation. It is also said that his performance was not lower than any other crew/drillman at that time and issuance of chargesheet was arbitrary and discriminatory.

3. It is said that the Manager (Personnel and Administration) was not the competent authority to issue chargesheet and the appointment of the Enquiry Officer also suffers from lack of competence and jurisdiction. Thereafter domestic enquiry was held which was also not in accordance with principles of natural justice. The workman representative was not competent like the management representative and he could not defend himself properly. The Enquiry Officer found him guilty and on the basis of the same dismissal letter dated 21-9-92 was issued to him.

4. It is further said therein that denial of natural justice has been done by the management and copy of the report and finding of the Enquiry Officer was not given to the workman prior to dismissal for making representation against the same and that dismissal authority was not competent one. It is further said that there was arbitrary discrimination for taking disciplinary action and punishment where all the 50 crews were identically situated in the matter and in the relevant period. It is also said that the Enquiry Officer was biased in favour of the management and against the workman. It is incorrect that he was taking leading part in organising or instigating crew to slow down the production. It is also said that the punishment given to the workman was highly disproportionate showing victimisation and there was unfair labour practice and victimisation of the workman and in this view of the matter the action of the management was mala fide. It is finally said that an award be passed accordingly.

5. I find that the management appeared and filed written statement stating therein that the reference is not maintainable either in law or on facts and the reference was too stale and any relief can't be given by the Tribunal and the management of Uranium Corporation of India Ltd. is not an 'industry' under Sec. 2(j) of the Industrial Disputes Act. It is also said that the workman was dismissed from service for proved misconduct in a regular enquiry held against him where reasonable opportunity was given to him to defend himself and the principles of natural justice and fair play were observed by the Enquiry Officer and thereafter considering the concurring with the report of the Enquiry Officer dismissal order was issued to the workman and the demand of the workman is not justified at all in the circumstances of the case.

6. It is further said that the workman was working as Drillman 'C' during 1991-92 and during the period in consideration from 18-3-1992 to 18-4-1992 the drilling

average meterage of the workman was upto 21 metres which is much below and alarming in comparison to meterage given by the workman which showed that he was adopting 'go slow tactics' and negligence in discharge of duties causing loss and damage to the management, despite appeal made by the management of the Corporation.

7. It is further said that after issue of chargesheet reply was given by the workman on 2-5-92 which was not found satisfactory and domestic enquiry was held by the Enquiry Officer in which the workman and corepresentative were given full opportunity to defend themselves and to examine the witness and that the enquiry was quite fair and proper and as per principle of natural justice and after considering the enquiry report and concurrence with the competent authority dismissal letter dated 21-9-92 was issued to the workman and the punishment given to the workman was in accordance with gravity of offence and it did not require any interference by the Tribunal. It is further said that the holding of domestic enquiry be decided as preliminary issue. It is finally said that the action of the management was quite justified and the workman was not entitled for any relief or reliefs as prayed and an award be passed accordingly.

8. I further find that a rejoinder has been given by the management to the written statement of the workman denying the allegation as not true, in correct and irrelevant. It is also said that the punishment given to the workman was not disproportionate at all in view of the grave misconduct committed by the workman which was fully established in the domestic enquiry. Other statements are said to be absolutely incorrect. It is finally said that an award be passed accordingly.

9. I further find that a rejoinder has been given by the workman to the written statement of the management denying the allegation parwise and specifically and the same is said to be incorrect and denied and it was also said devoid of merit and untenable. It is finally said that relief be granted to the workman as prayed.

10. It may be noted here that holding of domestic enquiry was heard as preliminary issue and vide order dated 26-11-96 the same has been held to be fair and proper.

11. It may be noted here that one witness was examined on each side on the point of preliminary issue and thereafter no further evidence has been adduced by either side. However, some documents were filed by the management which has been exhibited as Exts. M-1 to M-7 which are Report and finding of the Enquiry Officer (Ext. M-1), dismissal letter dated 21-9-92 (Ext. M-2), Administrative Instruction dated 4-4-79 (Ext. M-3), Chargesheet (Ext. M-4), Appointment of Enquiry Officer (Ext. M-5), Standing Order (Ext. M-6) and proceeding of the enquiry (Ext. M-7).

12. After taking evidence and hearing argument of both sides my predecessor-in-office passed the following award vide award dated 13-3-1997:

"The action of the management of Uranium Corporation of India Ltd. in dismissing Shri Purna Chandra Dhar, Drillman 'C', Token No. 1379 vide Order dated 21-9-92 is not justified. The management is directed to reinstate the concerned workman in service from the date of his dismissal and pay him 75% of full back wages with all other benefits till the date of his superannuation i.e. January, 1995."

13. Against the above Award management has preferred a Writ Petition No. 2034/97 (R) before the Hon'ble Jharkhand High Court, Ranchi in which Hon'ble High Court has ordered for re-consideration regarding order passed by this Tribunal for payment of 75% full back wages and other benefits. It has to be mentioned here that management has not filed any petition regarding Award passed by this Tribunal of reinstatement of workman. Only the order has been challenged in the Writ petition regarding 75% of full back wages and other benefits. Vide order dated 28-8-2003 the Hon'ble Court has ordered that this Court will give opportunity to workman and give its opinion whether the concerned workman was prejudiced because of non-supply of enquiry report and if after hearing the parties Tribunal comes to the conclusion that because of non-supply of the enquiry report the concerned workman has been prejudiced then the Tribunal may order for full back wages and other consequential benefits.

14. Heard Ld. Advocate for both parties, on the point whether non-supply of enquiry report caused prejudiced to the workman. In this respect Ld. Advocate for the workman argued that he has not been given any opportunity before dismissal to show his case regarding his innocence. In this respect Ld. Advocate referred to a decision reported in 1991 Lab I.C. 308 in which Hon'ble Supreme Court laid down that Disciplinary proceeding—It is quasi judicial and it attracts the principle of natural justice. Hon'ble Supreme Court also laid down that the Enquiry Officer regarding finding of guilt and proposing of punishment—Delinquent is entitled to know the same. The Hon'ble Supreme Court laid down—the report of enquiry delinquent right to be entitled to know thereof—not lost after 42nd amendment. Ld. Advocate for the workman also referred another decision reported in 2005 (106) FLR 934 in which Hon'ble Gujarat High Court laid down that as per Section 17B of the I.D. Act, 1947 regarding payment of full wages to pending proceeding to Higher Court be allowed. Ld. Lawyer for the management argued that in similar case of same management in Ref. No. 89/93 the co-worker of the present Award has been passed by this Tribunal for reinstatement of the workman with direction of back wages having liberty to the management to proceed with the inquiry by placing him under suspension and continue the inquiry from the stage of furnishing copy of the report. In this matter management has invoked the Writ Jurisdiction of the Hon'ble High Court in C.W.J.C. No. 3231/96 in which

Hon'ble High Court has upheld the Award passed by this Tribunal and Writ was dismissed with observation that it is without any merit. Regarding Ref. No. 89/93 Hon'ble Court also referred in Writ Petition No. 2034/97 which relates to present Award and the Hon'ble Court vide Order dt. 28-8-03 has written that C.W.J.C. No. 3221/96 has been dismissed and the Award by this Court has been upheld. Ld. Advocate for the management argued that in Award passed in Ref. No. 89/93 and in the present Award the workers are co-worker and same management and different orders cannot be passed in identical matter. There is force in the argument of the Ld. Advocate of the management that when in Ref. No. 89/93 it has been given liberty to management for proceeding with the enquiry by placing him under suspension after giving enquiry report to the workman the same should have been passed by this Tribunal in the present Award because there is no ground to discriminate the order for co-worker with same management and dismissal on the same ground.

15. It will be open for the management after giving enquiry report to the worker to proceed further, Accordingly the following Award is passed :

"The action of the management of Uranium Corporation of India Ltd. in dismissing Shri Purna Chandra Dhar, Drillman 'C', Token No. 1379 vide their order dated 21-9-92 is not justified. Consequently, the management is directed to reinstate the concerned workman in service from the date of his dismissal and pay him full back wages from the date of dismissal and other consequential benefits with liberty to the management to proceed with the inquiry by placing him under suspension and continues the inquiry from the stage of furnishing copy of the report."

HARI MANGAL SINGH, Presiding Officer

नई दिल्ली, 28 जुलाई, 2008

का. आ. 2379.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब एण्ड सिंध बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-11, नई दिल्ली, के पंचाट (संदर्भ सं. 110/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-07-2008 प्राप्त हुआ था।

[सं. एल-12013/80/1998-आई.आर. (बी-11)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 28th July, 2008

S.O. 2379.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 110/1999 of the Central Government Industrial Tribunal-cum-

Labour Court No. II New Delhi, as shown in the Annexure, in the industrial dispute between the management of Punjab and Sind Bank and their workmen, received by the Central Government on 28-7-2008.

[No. L-12013/80/1998-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR**

COURT, -II NEW DELHI

Presiding Officer : R. N. Rai

I. D. No. 110/1999

IN THE MATTER OF:

Sh. Sardar Pramjit Singh Girgla,
S/o Sh. Surjan Singh Girgla,
R/o 7 A, Tamur Nagar,
New Delhi-110065.

..... Claimant

Versus

The Chairman-cum-Managing Director,
Punjab and Sind Bank,
21, Rajendra Place,
New Delhi.

..... Respondents

AWARD

The Ministry of Labour by its letter No.L -12013/80/98-IR(B-II) CENTRAL GOVERNMENT DT.24/30-03-1999 has referred the following point for adjudication:

The point runs as hereunder:

"Whether the action of the Dy. General Manager, Punjab and Sind Bank, Zonal Office, C - 14/16, Con. Place, New Delhi in not allowing duty to Mr. Pramajit Singh Girgla, Ex. Clerk-cum-Cashier, Punjab and Sind Bank, Hemkunt Colony Branch when he reported for duty on 07-08-1996 in response to the first notice of the bank dated 06-07-1996 and then treating him as voluntarily retired from the service's w.e.f. 26-11-1996 under Clause 17 of the BPS and also detaining his salary dues is proper and justified? If not, to what relief the said workman is entitled to?"

The case of the workman is that he was appointed as Clerk cum Cashier in the year 1978.

That a show cause notice was given to him on 06-07-1996 but it was posted on 09-06-1996 and it was received by the workman after 09-07-1996.

That on 7-8-1996 within the period of 30 days, the workman approached the respondent for joining and he submitted the application for joining but he was not

permitted to join. He has reported within the statutory period of 30 days.

That the management with a malafide intention sent another notice under clause 17 of the BPS and illegally compulsorily retired him whereas he has been sending applications supported by medical certificate to the management for leave.

That the order of compulsory retirement is illegal and arbitrary. The workman has not been paid even all the wages to which he is entitled.

The case of the management is that the claimant did not report to duty within 30 days from 06-07-1996 and he was called by letter dated 14-08-1996 to substantiate his averments made vide his letter dated 08-07-1996 to enable the management to consider his request. The workman did not comply with the directions contained in the letter dated 14-08-1996. Vide letter dated 17-09-1996, the workman was once again given 10 days time to comply with the instructions. The workman did not bother to comply with the instructions of the management. He was given notice dated 07-10-1996 to substantiate his absence and subsequent act of omission to satisfy the management and that he had intention to join duty within 30 days of the date of the notice else he will be deemed to have voluntarily retired from the bank's service on the expiry of notice period.

That the workman did not respond to the letter dated 07-10-1996, he was deemed to have voluntarily retired from service of the management as per P-17 of the BPS vide order dated 26-11-1996 of the management.

That all the dues till 31-03-1997 have been paid to the workman.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

Award dated 1-5-2008 is set aside as the entire evidence of the management was not taken. The management has adduced evidence.

It was submitted from the side of the workman that he has been illegally retired. He has no intention of not joining duty and abandoning the job. He was suffering from viral fever so he could reply to the letter dated 07-10-1996.

It was submitted from the side of the management that the previous notice dated 06-07-1996 was dispatched on 09-07-1996. The workman reported for duty but he was asked to substantiate his unauthorized absence and letter

was sent to him on 07-08-1996 but he did not response to the letter. Again a letter dated 07-10-1996 was sent to him and it was mentioned in that letter that in case he failed to reply to the letter he will be deemed to have voluntarily retired. The workman did not respond to the letter dated 07-10-1996, so he was voluntarily retired on 26-11-1996.

From perusal of the records it transpires that notice for the first time to the workman was sent on 06-07-1996 but it was dispatched on 09-07-1996. The workman has filed Annexure - D letter dated 09-08-1996 to GM, Punjab and Sind Bank Zonal Office. It has been mentioned in this letter that he went to the concerned branch on 07-08-1996 to join duty but he was not permitted to join duty. It has been also mentioned in this letter that he could not report earlier as he was down with viral fever. Receipt of the letter has been admitted to the management. It contains the seal and signature of receiving. Notice dated 06.07.1996 was dispatched on 09.07.1996, so the workman reported for duty on 07.08.1996 within 30 days of notice.

As per 17 BPS the management can issue 30 days notice after 90 days absence. The workman was no doubt absent for 90 days and notice has rightly been sent to him after absence of 90 days.

From perusal of the notice it becomes quite obvious that the workman was directed to resume his duties or give satisfactory explanation otherwise he will be deemed voluntarily retired.

The workman approached the management well in time on 07-08-1996 within 30 days of the stipulated time in the notice but he was not permitted to join duty. The management did not voluntarily retire him after service of this notice.

The management has issued another notice dated 07-10-1996 and the workman has been voluntarily retired on 26-11-1996. It is proved that the workman reported to duty on 07-08-1996 and he was not permitted to join. He shall be deemed to have joined the duty on that day. The management illegally did not permit him to join duty. The management issued another 30 days notice on 07-10-96 after 60 days of absence and voluntarily retired him on 26-11-1996.

The second notice has been sent after 60 days of absence of the workman. The workman reported for duty on 7-8-1996 and he shall be deemed to be on duty on 7-8-1996, so in the circumstances second notice is to be sent after 90 days of absence whereas it has been sent after 60 days of absence. The management should voluntarily retire a workman under 17 BPS if he has unauthorisedly absented for 90 days and notice of 30 days notice is to be sent to the workman.

The management has filed details of attendance of the workman from 17-6-1994 to 26-11-1994. The workman has worked for 56 days during 17-6-1994 to 26-11-1994.

The workman has denied this document but it contains the seal and signature of the management.

The workman has not filed any document to show that he worked for more than 56 days during 1994 and 1995. This document establishes the fact that the workman was in the habit of remaining unauthorized absent.

From perusal of the record it transpires that the workman has performed 56 days duty in 1994, 1995 and 1996. He has rendered only 56 days duty from 17-4-1994 to 26-11-1996.

It was submitted from the side of the management that the workman was in the habit of remaining unauthorized absent.

From perusal of the records it becomes quite obvious that the workman was in the habit of remaining unauthorisedly absent in 1994, 1995 and 1996 but the management has not acted fairly and the second notice has not been sent after 90 days of unauthorized absence.

The workman has filed Annexure D Ex. WW 1. This document has not been denied by the management. It is addressed to the GM, Punjab and Sind Bank Zonal Office. It has been stated in this letter that the workman approached his office on 07-08-1996 and was not allowed to join. It has also been mention that despite the fact that he showed the Branch Manager the proof of dispatch of the letter by the Zonal Office on 09-07-1996.

It becomes quite obvious that in response to the letter dated 06-07-1996 which was dispatched on 9-7-1996, the workman approached his office on 07-08-1996 for joining duty but the Branch Manager did not permit him to join duty. The workman made representation to the GM, PSB zonal office on 09-08-1996. This letter proves that the letter was received by the Zonal Office and there is some endorsement of the officer on this letter.

As per the provisions of Clause 17 BPS in case after 90 days absence a 30 days notice is sent the workman should report to join duty or give satisfactory explanation. In the instant case the workman approached within 30 days to resume his duties but he was not permitted to join. He made representation on 9-8-1996 to GM regarding this fact. The management did not permit him to join as he has not gone there to join with application and medical certificate. It is not required as per the provisions of the 17 BPS that the workman should report to duty along with explanation. He was directed to report for duty or give satisfactory explanation in the letter dated 06-07-1996. He did approach the bank for joining on 07-08-1996 but malafidely the workman was refused to resume his work. The workman has not been retired voluntarily on this notice.

From perusal of the above discussion it becomes quite obvious that the workman went to join duty on 09-08-1996 he was refused duty so notice dated 6-7-1996 is not effective.

This Tribunal held in the previous award that 90 days period for second notice is also necessary. From perusal of 17 C BPS it becomes quite obvious that after service of the first notice for absence of 90 days, the second notice may be sent after 30 days of absence.

The management sent another notice on 07-10-1996 after a gap of 60 days. The workman received this notice but he has stated in his cross-examination that he did not go to join duty and he did not send reply to this notice. After 30 days of service of notice the management rightly treated the workman voluntarily retired. For second notice the mandatory period is 30 days and not 90 days as has been held by this court in the previous award.

In the circumstances the management treated the workman voluntarily retired on 2-11-1996 after a valid service of notice dated 07-10-1996. The workman admittedly has not reported for duty. He has not even sent reply to the notice.

It has been held in 2001 1 LLJ as under:

"Termination of Services - Employee of Bank - For unauthorized absence from duty - Employee defaulted in not offering explanation for unauthorized absence from duty nor placed any material to prove he reported for duty within 30 days of notice as required in terms of Bipartite Settlement - High Court proceeded on erroneous basis of non compliance with principles of natural justice - There was agreement between parties, as to manner in which situation should be dealt with and consequences that would follow - High Court's order set aside."

The management has given 30 days notice after his 60 days absence. He did not turn up or filed any explanation regarding his unauthorized absence. The management has rightly treated the workman as voluntary retired.

It has been held in 2001 1 CLR 468 by the Hon'ble Apex Court as under:

"Termination of service was validly effected in view of the BPS and High Court erred in quashing termination."

It has been further held in the case of D.K. Yadav V. JMA Industries 1993 11 CLR 116 (SC) as under:

"While allowing the impugned appeal and setting aside award of the Tribunal and judgments of the High Court is held that undue reliance on the principles of natural justice by the Tribunal and even by the High Court has certainly led to the miscarriage of justice as far as the bank is concerned that bank has followed the requirements of clause 16 of the BPS wherein the principles of natural justice are in-built and that the bank rightly held that Dayananda had voluntarily retired from the service of the bank."

In view of the law cited above the order of voluntary retirement of the workman by the management is just and legal. No interference is required.

The reference is replied thus: —

The action of the Dy. General Manager, Punjab and Sind Bank, Zonal Office, C - 14/16, Con. Place, New Delhi in not allowing duty to Mr. Pramajit Singh Girgla, Ex. Clerk-cum-Cashier, Punjab and Sind Bank, Hemkunt Colony Branch when he reported for duty on 7-8-1996 in response to the first notice of the bank dated 6-7-1996 and then treating him as voluntarily retired from the services w.e.f. 26-11-1996 under Clause 17 of the BPS is proper and justified. The management should make payment of all the dues detained within two months from the date of the publication of the award.

The award is given accordingly.

Date: 23-07-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 28 जुलाई, 2008

का. आ. 2380. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंदिरा गांधी नेशनल ओपन यूनिवर्सिटी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. II, नई दिल्ली के पंचाट (संदर्भ सं. 203/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2008 को प्राप्त हुआ था।

[सं. एल-42012/120/1999-आईआर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 28th July, 2008

S.O. 2380. — In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 203/1999) of Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi, as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Indira Gandhi National Open University, and their workmen, which was received by the Central Government on 28-7-2008.

[No. L-42012/120/1999-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, NEW DELHI

Presiding Officer: R. N. RAI

I.D. NO. 203/1999

IN THE MATTER OF:

Sh. Bhim Sain Sharma,
S/o. Sh. Chhedi Lal,
R/o. 663, Gali No. 30,
Block No. E, Sanjay Colony,
Sector - 23, Faridabad (Haryana).

VERSUS

The Vice Chancellor,
Indira Gandhi National Open University,
Room No.1, Block No.8, Maidan Garhi,
New Delhi - 110 068

AWARD

The Ministry of Labour by its letter No.L-42012/120/99-IR (DU) Central Government Dt. 13-10-1999 has referred the following point for adjudication:

The point runs as hereunder :—

“Whether the action of the management of the Chief Engineer, Indira Gandhi National Open University, Maidan Garhi, New Delhi in stopping from services/duty to Sh. Bhim Sain Sharma, Ex. Helper w.e.f. July, 1993 is legal and justified? If not, to what relief the workman is entitled.”

The case of the workman is that he joined the Indira Gandhi National Open University as Helper/Labour as per the directions and instructions of the management. The management issued certificate dated 14-2-1992 and declared that the workman applicant is permanent employee of the management. The workman joined the management on 12-8-1991 and certificate to him was issued to him dated 1-1-1992 and he was removed from service in the year 1993 forcibly by the management.

That the workman made several representations but the management did not pay any heed so this reference.

The case of the management is that the workman never employed as a regular employee in the University. He worked as daily rated worker as muster roll for 94 days in 1991, 141 days in 1992 and 134 days in 1993. He was engaged purely on temporary basis for the work required. He has stated falsely that he was a regular employee. The further case of the management is that Identity Cards are issued to all the employee including muster roll worker working in the University. It has been issued to the complainant. The certificate dated 14-2-1992 has not been issued by the AE. It is forged and fake. The workman has committed forgery and he has forged the signature of JE. His services were not required as there was no work for which his services were to be utilized so he was not given further work. He was engaged against a casual nature of work purely on daily wages basis.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that he was engaged on permanent basis as regular employee and his services were terminated illegally and arbitrarily.

It was further submitted from the side of the workman that he was engaged on regular basis and his services have been illegally terminated.

It was submitted from the side of the management that he was a daily rated worker.

From perusal of the record it transpires that the workman has filed certificate WW 1/2. It has been mentioned in the certificate that the workman has been working as Beldar. The management has denied this certificate. The certificate WW1/2 has been issued by the JE(E). The management has examined Sh. U.P. Sharma, A.E. He has deposed that there is no provision for engaging workman regularly without following the recruitment rules. He has stated that his complaint to Sr. Officer, Sh. Yograj regarding the forged certificate. The workman has stated in his cross-examination that the letter WW 1/2 is original. It is not photocopy. The certificate WW 1/2 is photocopy and it is purported to be issued by Sh. U.P. Sharma. Sh. Sharma has deposed and he has stated that he has not issued any certificate dated 14-02-1992. The photocopy document WW1/2 bears the signature of Sh. U.P. Sharma the deponent. There is over writing on the workman has not produced the original of Ex. WW1/2. He has stated in his cross-examination that it is original copy whereas this certificate is photocopy.

The signature of Sh. U.P. Sharma appears to be forged and there is overwriting on the alphabet “U”. Sh. U.P. Sharma is A.E., IGNOU, Delhi. This certificate appears to be forged certificate. He denies the issuance of this certificate. The workman has not filed any original certificate.

The workman has filed Identity Cards. The Identity Cards are issued even to temporary employees. Identity Cards are no proof of regular working of the workman.

The workman has filed only one document WW 1/2. It is photocopy. The original has not been produced by the workman. There is overwriting on the alphabet “U” and “9”.

The date 14-2-1992 appears to be written by less educated person whereas Sh. U.P. Sharma is A.E. It appears that the workman has stolen letter head and he has forged the certificate. He has not filed the original certificate. Photocopy is not admissible in evidence. The workman has failed to prove that he worked continuously for 240 days. There is no appointment letter on the record.

The reference is replied thus:

The action of the management of the Chief Engineer, Indira Gandhi National Open University, Maidan Garhi New Delhi in stopping from services/duty to Sh. Bhim Sain Sharma, ex-helper w.e.f. July, 1993 is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 23-07-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 28 जुलाई, 2008

का. अ. 2381.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2008 को प्राप्त हुआ था।

[सं. एल-40011/1/2006-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 28th July, 2008

S.O. 2381.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited, and their workmen, received by the Central Government on 28-7-2008.

[No. L-40011/1/2006-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI Y.P. BHATT, INDUSTRIAL TRIBUNAL, GUJARAT, AHMEDABAD

Reference (ITC) No. 1547 of 2008

Old No. Reference (CGIT) No. 188 of 2006

Adjudication Between

The General Manager, Telecom District,
Bharat Sanchar Nigam Limited,
Kheda, Door Sanchar Bhawan, Vallabh Nagar,
Pij Road, Nadiad (Gujarat) 387 002.

...First Party

And

The Workmen

...Second Party

In the matter of OTA claims.

AWARD

The industrial dispute between the aforesaid parties was referred by the Desk Officer, Government of India, Ministry of Labour, New Delhi vide its order No. L-40011/1/2006-IR(DU) dated 14-11-2006 to the Central Government Industrial Tribunal-cum-Labour Court, O-14, New Mental Compound, Meghaninagar Road, Asarwa, Ahmedabad for adjudication under Section 10(1) of the Industrial Disputes Act, 1947. Thereafter, on the basis of an order passed by Hon'ble High Court of Gujarat, this industrial dispute along with some other industrial disputes were transferred to the State Industrial Tribunals, Ahmedabad. It is, how

this dispute is pending before this Tribunal. The dispute between the parties relates to the following demand of the workmen, as stated in the schedule to the order of Reference:

Whether the action of the management of Bharat Sanchar Nigam Ltd. Kheda Telecom Distt., Nadiad in not paying O.T.A. Claims to their staff members for performing duties on closed holidays since October, 2004 is legal and justified? If not, what relief the workmen are entitled to?

The notices were issued to the parties. After the transfer of this dispute to this Tribunal, Shri N.K. Trivedi, learned advocate entered appearance on behalf of the first party. On 11th July, 2008 the learned advocate Shri Trivedi, Shri S.S. Patel, Asstt. General Manager (Legal), BSNL, Nadiad appeared on behalf of the first party and Shri N.S. Prasad, the District Secretary, NFTE, Kheda, Nadiad appeared for the second party and they submitted a settlement pursish vide Ex. 7.

This Tribunal has gone through the said pursish. It appears that the parties have come to an amicable settlement and the second party workmen decided not to proceed further with this Reference case. A letter in that behalf was also written by Shri N.S. Prasad to the Desk Officer wherein Shri N.S. Prasad had signed on 05-12-2006 and stated that during the course of making over the matter to the Regional Labour Commissioner, Ahmedabad, the pending OT claims were cleared by the BSNL and hence there remains no dispute between the parties and they were enjoying harmonious relations. The said letter is also annexed to Ex. 7 pursish.

Shri N.S. Prasad and S.S. Patel informed this Tribunal that what was stated in pursish Ex. 7 was correct and that now they do not want to proceed with this case. Necessary endorsement was made on the said pursish. Since now there is no dispute between the parties, I pass the following order:

ORDER

As the dispute between the parties has been settled out of Court, this Reference case is disposed of as settled with no order as to cost.

Y. P. BHATT, Industrial Tribunal

नई दिल्ली, 29 जुलाई, 2008

का. अ. 2382.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल पोस्टल रिसर्व स्टेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट संदर्भ सं. 201/2004) का

प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2008 को प्राप्त हुआ था।

[सं. एल-42012/4/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2382.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 201/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of Central Potato Research Station and their workmen, received by the Central Government on 29-07-2008.

[No. L-42012/4/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM-LABOUR COURT-I,
CHANDIGARH.**

Case No. I.D. 201/2004

Sh. Balak Ram S/o Sh. Darsu Ram, Village & PO. Majhar,
Tehsil- Theog, Distt. Shimla

... Applicant

Versus

The Office Incharge, Central Potato Research Station, Kufri,
Shimla Hills, Shimla (Himachal Pradesh)-171 012

....Respondent

APPEARANCES

For the workman: Sh. Vivek Sharma

For the management: Sh. Amit Sharma

AWARD

Passed on 18-7-2008

The Central Government vide notification No. L-42012/4/2003-IR(CM-II), dated 12-5-2004 has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills(HP) in terminating the services of Sh. Balak Ram, (Daily Wage Basis) without any notice and without any payment of retrenchment compensation is just, fair and legal? If not, to what relief the concerned workman is entitled to and from which date?”

The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08, this case was fixed in pre Lok Adalat meeting on 18-7-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. The management also agreed to provide the work to the workman with the contractor as per the policy of the government. It is also agreed by the management that if there is any scheme of giving temporary status, the management will provide the temporary status. The prescribed authority of the management and the workman during the hearing of this case in pre Lok Adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh

18-7-2008

G.. K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ.2383.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल पोटेटो रिसर्च स्टेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 197/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2008 प्राप्त हुआ था।

[सं. एल-42012/5/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2383.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 197/2004) of the Central Government Industrial Tribunal-cum-Labour Court No 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of Central Potato Research Station and their workmen, received by the Central Government on 29-07-2008.

[No. L-42012/5/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH****Case No. I.D. 197/2004**Sh. Ram Saran S/o Sh. Padma Ram, Village Makhrol,
P.O. Fagu, Tehsil-Theog, Distt. Shimla.

.... Applicant

VersusThe Office Incharge, Central Potato Research Station, Kufri,
Shimla Hills, Shimla (Himachal Pradesh)-171 012

.... Respondent

APPEARANCESFor the workman: Sh. Vivek Sharma
For the management: Sh. Amit Sharma**AWARD****Passed on 18-7-2008**

The Central Government vide notification No. L-42012/5/2003-IR(CM-II), dated 12-5-2004 has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills (HP) in terminating the services of Sh. Ram Saran, Ex-Beldar (daily Wage Basis) without any notice and without any payment of retrenchment compensation is just, fair and legal? If not, to what relief the concerned workman is entitled to and from which date?”

The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08, this case was fixed in pre Lok Adalat meeting on 18-7-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. The management also agreed to provide the work to the workman with the contractor as per the policy of the government. It is also agreed by the management that if there is any scheme of giving temporary status, the management will provide temporary status. The prescribed authority of the management and the workman during the hearing of this

case in pre Lok Adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh
18-7-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ.2384.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल पोटेटो रिसर्च स्टेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 199/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2008 को प्राप्त हुआ था।

[सं. एल-42012/7/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O.2384.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 199/2004) of the Central Government Industrial Tribunal-cum-Labour Court No 1, Chandigarh as shown in the Annexure, in the Industrial dispute between the management of Central Potato Research Station and their workmen, received by the Central Government on 29-07-2008.

[No. L-42012/7/2003-IR(CM-II)]
AJAY KUMAR GAUR, Desk Officer**ANNEXURE****BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-1, CHANDIGARH****Case No. I.D. 199/2004**Sh. Shyam Singh S/o Sh. Mathu Ram, resident of Village-
Makhrol, P.O. Fagu, Tehsil-Theog, Distt. Shimla.

...Applicant

VersusThe Office Incharge, Central Potato Research Station, Kufri,
Shimla Hills, Shimla (Himachal Pradesh)- 171 012

...Respondent

APPEARANCESFor the workman: Sh. Vivek Sharma
For the management: Sh. Amit Sharma

AWARD

Passed on 18-7-2008

The Central Government vide notification No. L-42012/7/2003-IR(CM-II)), dated 12-5-2004 has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills(HP) in terminating the services of Sh. Shyam Singh, Ex-Beldar (daily Wages Basis) without any notice and without any payment of retrenchment compensation is just, fair and legal? If not, to what relief the concerned workman is entitled to and from which date?”

The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08, this case was fixed in pre lok adalat meeting on 18-7-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. The management also agreed to provide the work to the workman with the contractor as per the policy of the government. It is also agreed by the management that if there is any scheme of giving temporary status, the management will provide the temporary status. The prescribed authority of the management and the workman during the hearing of this case in pre lok adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh G. K. SHARMA, Presiding Officer
18-7-08

नई दिल्ली, 29 जुलाई, 2008

क्रा. आ.2388,—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 37/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2008 को प्राप्त हुआ था।

[सं. एल-22012/300/99-आई.आर.(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2385.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 37/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of FCI, and their workmen, which was received by the Central Government on 29-07-2008.

[No. L-12012/300/99-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No. I.D 37/2000

Sh Janak Ram son of Shri Soran Ram, Village and Post Office Thakurpura (Khalati) District Ambala.

Applicant

Versus

FCI Karnal, the District Manager, food corporation of India, Karnal (Haryana)

Respondent

APPEARANCES

For the workman : Sh. Ram Pal Rana Advocate

For the management : Sh. Parmod Jain Advocate

AWARD

Passed on 18-7-2008

Central Govt. vide notification No. L-12012/300/99-IR(CM-II)), dated 27-1-2000 has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of FCI in not regularizing the services of Shri Janak Ram and 17 others engaged under contract Labour(R&A) Act, 1970 in FCI after notification No. 779(E) dated 9-12-1976 came into operation is legal and justified? If not, to what relief the workmen are entitled?”

2. The case taken up in Lok Adalat. Learned counsel of the workmen Shri R. P. Rana made a statement that the workman does not want to pursue the present reference any further and withdraw the same in Lok Adalat. Learned counsel for the management Shri Pramod Jain has no objection to it. In view of the above the present reference is returned to the Central Govt. as withdrawn in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh

17-7-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ. 2386.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जनरल मैनेजर, टेलीकॉम, भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 4/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2008 को प्राप्त हुआ था।

[सं. एल-40012/7/2006-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2386.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of General Manager, Telecom, Bharat Sanchar Nigam Limited, and their workmen, which was received by the Central Government on 29-7-2008.

[No. L-40012/7/2006-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRIGYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No. I.D 4/2007

Smt. Som Kaur w/o Shri Nath Singh, R/o VP Isru, Tehsil Khanna, Ludhiana

Applicant

Versus

The General Manager, Telecom, Bharat Sanchar Nigam Ltd., Ludhiana.

Respondent

APPEARANCES

For the workman : Workman in person

For the management : Sh. Baldev Raj.

AWARD

Passed on 21-7-2008 Camp Ludhiana.

Central Govt. vide notification No. L-40012/7/2006-IR(DU), dated 23-1-2007, has referred the following dispute to this Tribunal for adjudication:-

"Whether the action of the management of General Manager, Telecom, BSNL, Ludhiana in terminating the services of their workman Smt. Som Kaur w.e.f. 4-1-05 is

legal and justified? If not, to what relief the workman is entitled to?"

The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08 this case was fixed in Pre lok adalat meeting on 21-7-08 at Ludhiana Camp for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workmen agreed to withdraw this reference as the management is ready to provide the work through contractor as per present govt. policy of outsourcing. The management also agreed that the workman will be provided with work through contractor as per policy of outsourcing of the Govt. The workman will be giving preference in future subject to the eligibility and prevailing rules of the Govt. The prescribed authority of the management and the workmen during the hearing of this case in pre lok adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat, Central Govt. be informed. File be consigned to record.

Chandigarh

18-7-2008 At Ludhiana Camp.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ. 2387.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.डी. ई (लीगल सेल) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 7/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2008 को प्राप्त हुआ था।

[सं. एल-40012/89/2006-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2387.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the award (Ref. No. 7/2007) of the Central Government Industrial Tribunal-cum-Labour Court No 1, Chandigarh as shown in the Annexure, in the

Industrial dispute between the employers in relation to the management of S.D.E. (Legal Cell), and their workman, which was received by the Central Government on 29-07-2008.

[No. L-40012/89/2006-IR(DU)]
SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR
SHARMA, PRESIDING OFFICER, CENTRAL
GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-I, CHANDIGARH**

Case No. I.D 7/2007

Sh. Ompal Singh S/o Shri Nagli Ram, R/o H.No. 1348/2,
Backside Kali Mata Mandir, Gali No. 11, Habowal Khurd,
Ludhiana;

..... Applicant

Versus

Sub Divisional Engineer (Legal Cell), O/o General Manager
Telecom Distt., D/o Telecom, Bharat Nagar Chowk,
Ludhiana.

..... Respondent

APPEARANCES

For the Workman : Workman in person
For the Management : Sh. Baldev Raj

AWARD

Passed on 21-7-2008 Camp at Ludhiana.

Central Government vide notification No. L-40012/89/2006-IR(DU)), dated 31-1-2007, has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of S.D.E. (Legal Cell), O/o GMTD, BSNL, Ludhiana, in terminating the services of their workman, Shri Om Pal Singh, w.e.f. 5-10-05 is legal and justified? If not, to what relief the workman is entitled to?”

The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08 this case was fixed in Pre Lok Adalat meeting on 21-7-08 at Ludhiana Camp for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal,

the workmen agreed to withdraw this reference as the management is ready to provide the work through contractor as per present Government policy of outsourcing. The management also agreed that the workman will be provided with work through contractor as per policy of outsourcing of the Government. The workman will be giving preference in future subject to the eligibility and prevailing rules of the Government. The prescribed authority of the management and the workmen during the hearing of this case in pre Lok Adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh

21-7-08 At Ludhiana Camp

G.K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ. 2388.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार फील्ड एम्पूनिशन डिपो के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 189/2004 को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2008 को प्राप्त हुआ था।

[सं. एल-14011/6/2003-आई आर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2388.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the award (Ref. 189/2004) of the Central Government Industrial Tribunal-cum-Labour Court No I, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Field Ammunition Depot and their workmen, which was received by the Central Government on 29-07-2008.

[No. L-14011/6/2003-IR(DU)]
SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D 189/2004

The General Secretary, Ordnance Civilian Karamchari Sangh, Bhartiya Mazdoor Sangh, Civil Lines, GT Road, Jalandhar (Punjab).

..... Applicant

Versus

The Commanding Officer, 23, Field Ammunition Depot,
56, A.P.O

.....Respondent

APPEARANCES

For the workman : Workman in person
For the management : Sh. K.K. Thakur advocate,

AWARD

Passed on 21-7-2008 Camp at Ludhiana.

Central Government vide notification No. L-14011/6/2003-IR(DU) dated 2-6-2004, has referred the following dispute to this Tribunal for adjudication:—

“Whether the demands raised by Ordnance Civilian Karamchari Sangh against the management of Field Ammunition Depot vide their letter dated 12-12-1994 (copy enclosed) is legal and justified? If so, to what relief the concerned workers are entitled?”

The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08, this case was fixed in Pre Lok Adalat meeting on 21-7-08 at Ludhiana Camp for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workmen agreed to withdraw their reference. The management also agreed that they will be moving to the Government of India for engaging the workmen on daily wage who are in reference. The workman made a statement that there is a consensus that after getting the sanction from the Central Government. For executing the job for the daily wage workers, the workmen whose name are in the reference shall be given priority. The prescribed authority of the management and the workmen during the hearing of this case in pre Lok Adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose off this reference in Lok Adalat. Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh

21-7-08 At Ludhiana Camp.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2008

का. आ. 2389.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारत

संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 211/2002 को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2008 को प्राप्त हुआ था।

[सं. एल-40012/123/2002-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 29th July, 2008

S.O. 2389.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 211/2002) of the Central Government Industrial Tribunal-cum-Labour Court No 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited, and their workmen, which was received by the Central Government on 29-07-2008.

[No. L-40012/123/2002-IR(DU)]
SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No. I.D 211/2002

Smt. Sudha Rani, C/o L.S. Nirwal, 8/III, P&T Colony, NH-II,
Faridabad-121001

.....Applicant

Versus

The General Manager, BSNL, Sector 16, Telephone
Exchange, Faridabad

.....Respondent

APPEARANCES

For the workman : Sh. Rohit Ahuja
For the management : Sh. Anish Babbar

AWARD

Passed on 18-7-2008

Central Government vide notification No. L-40012/123/2002-IR(DU), dated 21-10-2002, has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of BSNL, Faridabad in terminating the services of Smt. Sudha Rani W/o Sh. Rajender Sharma, Operator w.e.f. 24-5-2001 is just and legal? if not, to what relief the workman is entitled to?”

The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the Schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 30-4-08 this case was fixed in Pre Lok Adalat meeting on 18-7-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw her reference. On behalf of the management Shri S.L. Aggarwal AGM, Legal and the workman Smt. Suda Rani made a statement that it is agreed between them that the management will provide the work to the workman on the same terms and conditions on which she was already working at the time of her disengagement but without any back wages from the date of termination to the date of joining. The prescribed authority of the management and the workman during the hearing of this case in pre lok adalat agreed upon the above mentioned terms and conditions. It is proposed to dispose of this reference in Lok Adalat. Accordingly the reference is returned to the Central govt. as settled in Lok Adalat. Central govt. be informed. File be consigned to record.

Chandigarh : G. K. SHARMA, Presiding Officer
18-7-08

नई दिल्ली, 30 जुलाई, 2008

का. आ. 2390.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूनियन बैंक ऑफ इण्डिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय इरनाकुलम के पंचाट (संदर्भ सं. 125/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-07-2008 प्राप्त हुआ था।

[सं. एल-12012/209/2004-आईआर.(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th July, 2008

S.O. 2390.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the award (Ref. No. 125/2006) of the Central Government Industrial Tribunal-cum-Labour Court Ernakulam as shown in the Annexure, in the Industrial dispute between the management of Union Bank of India, and their workmen, received by the Central Government on 30-07-2008.

[No. L-12012/209/2004-IR(B-II)]
RAJINDER KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, ERNAKULAM

Present: Shri.P.L.Norbert, B.A., LL.B., Presiding Officer

(Monday the 26th day of May 2008/ 5th Jyaista 1930)

I.D.No. 25 of 2006

(f. D. No. 19/2005 of Industrial Tribunal, Kollam)

Workman : Smt.S.Chandrika,
Adichamudambin Veedu,
K.P.IV /493, Kadakampally, Anayara P.O.,
Thiruvananthapuram, Kerala State.

By Adv.Shri.Haripad K.R.C. Pillai.

Management : The Assistant General Manager,
Union Bank of India,
Regional Office, Statue,
Thiruvananthapuram - 695 001.

By Adv.Shri.K.S.Ajayagosh.

This case coming up for hearing on 26-5-2008, this Tribunal-cum-Labour Court on the same day passed the following.

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of Union Bank of India in terminating the services of Smt.S.Chandrika, Part-time Sweeper on daily wages at the Bank's Extension Counter at Thycaud, Trivandrum - 695 014 w.e.f. 26-04-2004 is justified? If not, to what relief the concerned workman is entitled?"

2. After the reference summons were issued to both sides and they entered appearance and filed their pleadings. However when the matter was posted for evidence the worker and his counsel remained absent continuously. In the circumstances it has to be presumed that there is no existing dispute for adjudication. Therefore it is unnecessary to keep the case pending.

In the result, an award is passed finding that the action of the management in terminating the service of Smt. S.Chandrika, Part-time Sweeper on daily wage basis in management bank is legal and justified and the worker is not entitled for any relief.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 23rd day of May, 2008.

Appendix : Nil

P.L. NORBERT, Presiding Officer

नई दिल्ली, 30 जुलाई, 2008

का. आ. 2391.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सिंडीकेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय इरनाकुलम के पंचाट (संदर्भ सं. 160/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-07-2008 को प्राप्त हुआ था।

[सं. एल-12011/65/2002-आई.आर. (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th July, 2008

S.O. 2391.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 160/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the Industrial dispute between the management of Syndicate Bank and their workmen, received by the Central Government on 30-07-2008.

[No. L-12011/65/2002-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present: Shri. P.L.Norbert, B.A., LL.B., Presiding Officer

(Tuesday the 8th day of April, 2008/ 19th Chaitra 1930)

I.D. No. 160/2006

(I.D.No. 37/2002 of Industrial Tribunal, Kollam)

Union : The State Secretary,
Syndicate Bank Employees' Union,
C/o. Syndicate Bank, Anakottil Street,
West Fort, Thiruvananthapuram - 695 023
By Adv.Sri.Vijayachandra Babu.

Management : The Deputy General Manager,
Syndicate Bank, Zonal office,
Sasthakripa Office Complex,
Sasthamangalam,
Thiruvananthapuram - 695 010.
By Adv.R.S.Kalkura.

This case coming up for hearing on 28-03-2008, this Tribunal-cum-Labour Court on 08-04-2008 passed the following:

AWARD

This is a reference made under Section 10 (1)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of Syndicate Bank, Zonal Office, Trivandrum in not regularising the

services of Smt.B.Saradamma, a Part-time Sweeper in permanent cadre and superannuating her w.e.f. 31-1-2001 without paying any terminal benefits is justified? If not, what relief the worker concerned is entitled to?"

2. The facts in a nutshell are as follows: Smt. Saradamma was a part-time Sweeper, Zonal office of Syndicate Bank at Sasthamangalam since 1985. On 31-1-2001 she superannuated. The claim is for regularisation from the date of completion of 240 days' service and for consequential benefits.

3. According to the union which has espoused the cause of Smt.Saradamma, the worker was not paid retirement benefits at the time of relieving her. She had put in 16 years of service. She was working in a permanent vacancy. She had made several representations for regularisation. But the management did not consider net request though the management was fully satisfied with the work of the claimant. Even for getting gratuity she had to approach the controlling authority under the Payment of Gratuity Act. The action of the management is illegal.

4. According to the management the reference is not maintainable as there is no industrial dispute. Smt.Saradamma is not a workman within Section 2 (s) of I.D.Act. She should have raised the dispute while she was in service. She was paid Gratuity to which alone she was entitled. She was working as a Scavenger from 1985 and as part-time Sweeper from 9-3-1992. She was working in leave vacancy of a regular part-time Sweeper and not in a permanent vacancy. There was Government ban for fresh recruitment. Therefore the bank was unable to regularize the service of temporary employees of any cadre including part-time Sweepers. Part-time sweepers can be taken only through employment exchange and the worker had entered the service through back door. Though the work of Smt.Saradamma was satisfactory due to ban the bank was not able to regularize her service. She is not entitled for any relief.

5. In the light of the above pleadings the following points arise for consideration:

1. Is there a valid industrial dispute?
2. Is Smt.Saradamma entitled for regularisation with retrospective effect?
3. Reliefs, if any?

The evidence consists of the oral testimony of WW 1 and documentary evidence of Exts.W.1 to W3 on the side of the union and MW1 and Exts.M1 and M2 on the side of the management.

6. **Point No.1:** It is an admitted fact that Smt.Saradamma was working as part-time Sweeper in the management bank till 31-1-2001 on which day she superannuated. The dispute was raised in 2002 after her

retirement. It is contended by the management that Smt. Saradamma ceased to be a workman within the definition of S.2(s) of I.D. Act and hence she cannot raise an Industrial Dispute. However the learned counsel for the union relying on the decision of a Division Bench of High Court of Assam argued that even a retired employee is a workman within the meaning of S.2(s) of the Act. In *Sailesh Chandra Dey V. Labour Court* 1992(1) KLT S.N. 40 it was observed that 'to import the definition of S.2(s) in all its vigor into S.33(C)(2) of I.D. Act tend to spell out a clear repugnancy with the scheme of S.33(C)(2) and the legislative intentment. To hold that the expression "workman" occurring in S.33(C)(2) could take in a former workman would sub serve the legislative purpose. The only limitation is that the claim must be in respect of an existing right arising from his erstwhile relationship as an employee of the employer". This was a case in which a claim for money under Section 33(C)(2) of I.D. Act was made. Whereas the case on hand is a reference U/S 10(1)(d) for adjudication of an Industrial Dispute. Therefore the decision has no application to the instant case.

7. The next decision relied on by the learned counsel is *ICI India Ltd. v. Presiding Officer and others* 1993-II-LJ 568. This was a case in which an industrial dispute was raised with respect to pensionable benefits. The Bombay High Court held that dispute with regard to pension though does not fall within 2nd or 3rd schedules of I.D. Act, the schedules are not exhaustive of all kinds of disputes. Pension is a condition of service and pension can form subject matter of industrial dispute. For the purpose of pensionary rights the pensioner or retiree would as much be a workman as any other workman whose contract of employment is still subsisting (para 21 and 45).

8. In *Everestee v. District Labour Officer* 1999-II-LJ 851 it is observed that the definition of workman under Section 2(s) of I.D. Act includes only persons who are presently employed or, who have been dismissed or discharged or retrenched from service. An employee having voluntarily retired from service and having accepted benefits under VRS, cannot be treated as 'workman'.

9. However in another decision reported in 1961 KLT 1119 it is held by the Hon'ble High Court of Kerala after referring to the decision in "*workmen of Dimakuchi Tea Estates v. Management of Dimakuchi Tea Estates* (AIR 1958 SC 353)", that where the workmen raised a dispute as against their employer, the person or persons regarding whose employment or non employment the dispute is raised need not be strictly speaking "workmen" within the meaning of the Act, but must be persons in whose employment or non employment the workman as a class have a direct or substantial interest. Though in the present case the union has espoused the cause of Smt. Saradamma and hence it may be said that the union which represents the workmen has raised the dispute, still the union must be able to show that the workmen in the company as a class have a direct or substantial interest in the cause of

Smt. Saradamma. Smt. Saradamma claims regularisation with retrospective effect after her retirement. It is not a common issue. The claim of Smt. Saradamma can in no way affect the interest of others. It is an individual claim and not a matter of common interest of the workers as a whole or as a class. Hence it cannot be said that even though Smt. Saradamma ceased to be a workman after retirement a dispute can be raised by the union.

10. The worker ceased to be a workman after her retirement. Such a person cannot either individually or through union, raise an industrial dispute. Therefore I find that the reference is not maintainable as no valid industrial dispute can be raised by the union.

11. Point No.2:- It is not seriously disputed that the worker Smt. Saradamma was in continuous service as Part-time sweeper though as daily wager Since 1985 till 31-1-2001 on which day she superannuated. Her claim is that she should have been regularized on completion of 240 days continuous service. The management does not admit that she had been working in a sanctioned post but only in leave vacancies of a permanent part time sweeper. It is the burden of the union to prove that Smt. Saradamma was working in a permanent vacancy. There is no such proof. Assuming that she had been working continuously for 16 years, that itself will not confer any right on her for regularisation but only for the benefits of S.25F of I.D. Act in case she is retrenched or terminated. In this case as per the order of the management Ext. W2 she superannuated on 31-1-2001. Once a person superannuated or reached the retirement age, the question of applying S.25F of the Act does not arise. On the other hand a person will be entitled for the retiral benefits. In the instant case Smt. Saradamma was eligible only for gratuity and not for P.F. She was given gratuity no doubt only after the order of controlling authority under the payment of gratuity Act (Ext. W3). It is for the management to consider regularisation of an employee. According to the management during the service of the worker there was a government order banning recruitment to any category of service including Part-time sweepers. Therefore the management was unable to regularize the service of the worker. Ext. M 1 is produced to show that there was a ban order. It is an inter office communication of the bank. However a Para of the memorandum of understanding reached between Management bank and Reserve Bank of India is extracted. The bank had undertaken not to conduct fresh recruitment. In respect of vacancies arising out of retirement/resignation/ dismissal etc. But the learned counsel for the union points out that it is only a memo of understanding and not an agreement. However the management bank has to honour the memorandum of understanding reached between Management Bank and the R.B.I. According to the management the ban was lifted only subsequent to the retirement of the worker and hence nothing could be done regarding regularisation of the service of the worker. Ext. M2 is produced to show that in 2007 the cause of

regularisation of casual workers were taken up by the management and a list of such persons was prepared for regularisation.

12. It is contended by the union that to employ workers as casuals or temporaries continuously for years together with the object of depriving them of the status and privileges of permanent employees, is an unfair labour practice falling within item No. 10 of 1st part of the 5th schedule of I.D. Act. It is to be noted that there is no such plea of unfair labour practice in the claim statement. The management was not given a chance to meet such a case of the union. The worker is making a claim regarding the service conditions prior to her retirement. The claim is highly belated apart from the fact that no such industrial dispute would lie after retirement. However long a casual worker or a temporary worker continues in service that by itself will not confer any right for regularisation. It is for the management to consider an employee for regularisation according to the norms of the bank. Unless the worker or union is able to point out any violation of any provisions of law no direction can be given by the court for regularisation. The present claim is only an after thought and does not have the backing of a legal right. She was only a casual worker. Hence I find that there is no merit in the claim for regularisation or for retirement benefits.

13. In the result an award is passed finding that the action of the management in not regularizing the service of Smt. B. Saradamma, Part time Sweeper and superannuating her without paying terminal benefits is legal and justified and she is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 8th day of April, 2008.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union

WW1 - 12-6-2007 - Sri. K. Shyam Kumar.

Witness for the Management

MW1 - 24-10-2007 Sri. G.S. Mallan.

Exhibits for the union

- | | | |
|------|------------|--|
| W1 - | 06-06-2007 | Authorization letter to give evidence. |
| W2 - | 31-01-2001 | Copy of reliving order issued to Smt. B. Saradamma. |
| W3 - | 28-06-2002 | Order No. 36/8/2001/ ALC/TVM regarding payment of gratuity to Smt. B. Saradamma. |

Exhibits for the Management

- | | |
|-------------------|--|
| Ext. M 1-7-8-1995 | Letter No. PD. HRDD. 800. ZOM. 1555 regarding regularisation of services of P.T.Ss working on permanent vacancies. |
| Ext. M2 13-2-2007 | Letter No. PD. HRDD. REC. PTS. 2258 regarding regularisation of services of eligible temporary PTS. |

नई दिल्ली, 30 जुलाई, 2008

का.आ. 2392.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 291/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-7-2008 को प्राप्त हुआ था।

[सं. एल-12012/199/1997-आई आर(बी-11)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th July, 2008

S.O. 2392.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 291/97) of the Central Government Industrial Tribunal-cum-Labour Court, JABALPUR as shown in the Annexure in the Industrial Dispute between the management of Dena Bank and their workmen, received by the Central Government on 30-07-2008.

[No. L-12012/199/1997-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT, JABALPUR

No. CGIT/LC/N/291/97

Presiding Officer: Shri C.M. SINGH

Smt. Jyoti Raikwar, : Workman Union
W/o Sh. Kamal Kishore Raikwar,
63/27, Cutsey Bus Stop,
T. T Nagar, Bhopal.

Versus

The regional Manager : Management
Dena Bank
Regional Office, 107, Berasia Road,
Bhopal.

AWARD

Passed on this 16th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/199/97/IR(B-II) dated 17-10-97 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of Dena Bank in terminating the service of Smt. Jyoti Raikwar, W/o Kamal Kishore Raikwar, w.e.f. 30-1-95 is legal and justified? If not, to what relief the said workman is entitled?”

2. The case of the worker Smt. Jyoti Raikwar in brief is as follows : That she was employed as full-time employee on daily wages as peon since 1990 at Branch Offices of Dena Bank at Bhopal. She belongs to SC. She is registered with the employment exchange. She fulfils all eligibility conditions for regular appointment as peon having qualification upto middle standard. She worked for 619 days during the period 1990—95. In 1994 while she was working as peon in Azad Market Branch, Bhopal. She belongs to SC. In 1994 while she was working as peon at Azad Market Branch, Bhopal, she had completed 380 days work. Her salary was being credited in her Savings Bank Account No. 11475. She has also been paid bonus in the year 1995 to the tune of Rs. 731 paid in September 1996. She having completed requisite number of days at one establishment in a calendar year i.e. 240 days, she deserves to be regularized as peon. In view of the above her services could not be terminated from 30-1-95. Her termination order is void-ab-initio.

3. The case of the management in brief is as follows: The appointment in the Bank is governed by certain statutory rules and regulations. Worker Smt. Jyoti Raikwar was engaged by disregarding the rules. Her engagement was neither regular nor in conformity with the Rules and Regulations governing any appointment. She was engaged as Budlee Sepoy by Bhopal branches/offices intermittently during the leave vacancy of the regular sepoy or temporary increase of work. In terms of Para 20.7 of the First Bipartite Settlement dated 19-10-1966 as modified from time to time, the Bank is entitled to engage the services of such persons for a limited period of work, which is of an essentially temporary in nature. The worker was daily wage employee. Therefore, the termination in the instant case cannot be said to be illegal. The termination would be covered by the exempted clause as contained in Section 2.(oo) (bb) of the I. D. Act, 1947. The Branch Manager is not competent enough to grant any appointment. Merely because the Branch Manager had given some certificate that does not give her any legal right to the worker to seek regular appointment in the Bank. The worker was never been on the rolls of the Bank. The worker was engaged in service on purely temporary nature as casual worker and she was not appointed as employee of the Bank at any point of

time. Therefore, there is no question of termination of her services.

4. As the case proceeded ex parte against worker Smt. Jyoti Raikwar vide order dated 6-12-06 passed on the order-sheet, there is no evidence on record on her behalf.

5. The management in order to prove their case filed affidavit of their witness Shri Satish Shah, Dy. Regional Manager, Regional Office in Dena Bank, Bhopal.

6. I have heard Shri A. K. Shashi, Advocate for the management. I have very carefully gone through the evidence on record. The case of the management is fully established and proved from the uncontroverted and unchallenged affidavit of management's witness Shri Satish Shah. Therefore, the reference deserves to be answered in favour of the management and against the worker Smt. Jyoti Raikwar without any orders as to costs.

7. In view of the above, the reference is answered in favour of the management and against the workman without any orders as to costs holding that the action of management of Dena Bank in terminating the services of Smt. Jyoti Raikwar, w/o Kamal Kishore Raikwar, w.e.f. 30-1-95 is legal and justified and consequently the workman is not entitled to any relief.

8. Let the copies of the Award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 31 जुलाई, 2008

का.आ. 2393.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्लू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 165/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2008 को प्राप्त हुआ था।

[सं. एल-22012/323/1994-आई आर(सी-11)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2393.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 165/1994) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 31-07-2008.

[No. L-22012/323/1994-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/165/94

Presiding Officer : Shri C. M. SINGH

Workman/Union : The Chief General Secretary,
M. P. K. K. M. P. (HMS),
P. O. Junnardeo,
Distt. Chhindwara (MP)
Versus

Management : The Manager;
Eklehra Colliery,
P.O. Eklehra,
Distt. Chhindwara (MP)

Bench of Lok Adalat

1. Shri C.M. Singh, Presiding Officer
CGIT-Cum-Labour-Court,Chairman
Jabalpur
2. Shri K.N. Nair,Member
Advocate
3. Shri Mayank Sharma,Member
Advocate

AWARD

Passed on this 13th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/323/94/IR(C-II) dated 21-9-94 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of Eklehra Colliery of WCL, Pench Area, Eklehra, Distt. Chhindwara (MP) in dismissing Sh. Pandurang, S/o Pilayee, Clerk Eklehra Colliery of WCL from service w.e.f. 4-10-92 is justified? If not, to what relief is the workman entitled to?”

2. After the reference order was received, it was duly registered and 20th October, 1994 was fixed for hearing. Notices were issued to the parties to file their respective statements of claim.

3. During the pendency of this case, the learned counsel for parties requested that the case be taken up in Lok Adalat on 13-7-08.

4. The case is taken up today in Lok Adalat.

5. Shri Arun Patel, Advocate for workman Shri Pandurang/Union stated as under :—

“No industrial dispute exists between the parties and it is, therefore, prayed that no dispute award

be passed in this case.” Shri A. K. Shashi, Advocate for the management submitted that he has no objection if no dispute award is passed in the reference.

6. In view of the above, no dispute award without any orders as to costs is passed in the reference.

7. Copies of the award be sent to the Government of India, Ministry of Labour as per rules.

S/d-

C.M. SINGH PO, CGIT-Cum-Labour Court,
Jabalpur.
CHAIRMAN

Sd/-

(K.N. NAIR) Advocate
MEMBER

Sd/-

(MAYANK SHARMA) Advocate
MEMBER

नई दिल्ली, 31 जुलाई, 2008

का.आ. 2394.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 35/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-7-2008 को प्राप्त हुआ था।

[सं. एल-22012/197/2003-आई आर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2394.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.35/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Sohagpur Area of SECL, and their workman, received by the Central Government on 31-07-2008.

[No. L-22012/197/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT JABALPUR,

No. CGIT/LC/R/35/04

Presiding Officer : Shri C. M. SINGH

Shri Rajmani Singh,

Vill. Chulhan Tola,
P. O. Amjhor,

Shahdol

—Workman/Union

Versus

The General Manager, Management
Sohagpur Area of SECL,
P.O. Dhanpuri,
Shahdol

AWARD

Passed on this 14th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/197/2003-IR(CM-II) dated 10-3-04 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of SECL, Sohagpur Area in terminating Sh. Rajmani Singh, S/O Sh. Babulal Singh, Saw Machine Operator from services w.e.f. 7-4-92 is legal and justified? If not, to what relief he is entitled?”

2. Vide order dated 2-1-06 passed on the order sheet of this proceeding, the reference proceeded ex parte against workman Shri Rajmani Singh. No statement of claim has been filed on behalf of the workman.

3. The case of management in brief is as follows: The service of the workman was terminated w.e.f. 7-4-1992 whereas the present dispute has been raised in the year 2004 i.e. after a lapse of about 12 years. The reference is, therefore, highly belated and is not maintainable. The workman was initially appointed as General Mazdoor w.e.f. 14-11-1975. He was promoted to Cat-II w.e.f. 2-8-95. He was a habitual absentee. He remained absent from duty without intimation/permission and sanctioned leave on several occasions. He was issued with a chargesheet for remaining absent from duty unauthorisely. However with a view to grant him one more opportunity, no serious action was taken against him and he was directed to do his duty. But the workman did not show any improvement in his conduct. He again remined absent from duty unauthorisedly w.e.f. 6-3-90 for which he was issued with a chargesheet dated 7-2-91. He continuously remained absent from 6-3-90 till the chargesheet was issued to him for near about 11 months. The workman did not submit any reply of the charge sheet. Therefore a departmental enquiry was conducted against him legally and properly. The Enquiry Officer submitted his enquiry report holding the workman guilty of the charges. The Disciplinary Authority after perusal of the entire enquiry papers agreed with the findings of Enquiry Officer and held that the charges framed against the workman are proved. As the charges leveled against the workman were proved beyond doubt and taking into account the past record of the workman, the competent authority has decided to terminate his services. Accordingly vide order dated 7-4-92, his services were terminated.

4. The management in order to prove their case filed affidavit of their witness Shri K. A. Sunder, then working as Dy. Personnel Manager, Amlai and Bangwar Sub Area.

5. I have heard Shri A. K. Shashi, Advocate for the management. I have very carefully gone through the entire evidence on record.

6. The case of the management is established and fully proved from the uncontrovered and unchallenged affidavit of their witness Shri K.A. Sunder.

7. In view of the above, the reference is decided in favour of the management and against the workman without any orders as to costs holding that the action of management of SECL, Sohagpur Area in terminating Sh. Rajmani Singh, S/o Sh. Babulal Singh, Saw Machine Operator from services w.e.f. 7-4-92 is legal and justified.

8. Copy of the award be sent to the Government of India, Ministry of Labour as per urles.

C. M. SINGH, Presiding Officer

नई दिल्ली, 31 जुलाई, 2008

का.आ. 2395.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 227/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2008 को प्राप्त हुआ था।

[सं. एल-22012/212/1993-आई आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2395.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 227/1993) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 31-07-2008.

[No. L-22012/212/1993-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
JABALPUR**

No. CGIT/LC/R/227/93

Presiding Officer : Shri C. M. SINGH

The Secretary, : Workman/Union
National Colliery Workers
Federation, (N.L.O.) Quarter
No. M.D. 292,
Post Gevra Project,
Distt. Bilaspur.

Versus

Sub Area Manager, Management
SECL,
Dipika Project,
P.O. Gevra Project,
Distt. Bilaspur.

AWARD

Passed on this 10th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/212/93/IR(C-II) dated 21-22-10-93 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Dipika Project of S.E.C.Ltd., Bilaspur, justified in their proposal dated 11-5-93 to deduct eight days wages from workers who are alleged to be on strike on 9-5-93? If not, to what relief the workmen concerned are entitled to?”

2. This reference relates to the relief sought by the Union of National Colliery Workers Federation (NCWF) seeking relief for those workers who are alleged to be on strike on 9-5-93 as the management of Dipika Project of SECL, Bilaspur proposed on 11-5-93 to deduct their 8 days wages. The said proposal dated 11-5-93 was served on 92 workers who were members of the Union, wherein the management has deducted 8 days wages from them under Sec-9 of the Payment of Wages Act. It has been averred that the provisions of payment of wages act donot apply to the concerned 92 workmen. The said deduction is penal in nature and liable to be quashed. No notice or opportunity was given to the 92 workers before passing the order dated 11-05-93 whereby the deduction is made. It is prayed that the term of reference be answered in favour of the Union and direct the respondents to refund the wages to the 92 workers from whose wages deduction has been made.

3. The case of the management in brief is as follows: The procedure of strike is laid down in the ID Act, the strike will be treated as illegal if the laid down procedure is not followed. Shri Harnarayan Chandra made a complaint against Shri Mohd. Sayd Iqbal Hussan, then working as overman, Dipika Project that he on 8-5-93 at about 1.50 PM near field MTK office, assaulted a co-worker Shri Harnarayan, Dumper Operator and threatened Shri Harnarayan of his life. He also used abusive language to Shri Harnarayan. Similarly Shri Mohd. Sayd Iqbal Hussan also made complaint against Shri Harnarayan that while Shri Harnarayan was on duty in the 1st shift on 8-5-93 at about 1.50 PM, Shri Harnarayan brought his Dumper No. 1263 from dumping yard to MTK office which is well before the scheduled time of the end of the shift. On interrogation by Shri Hussan for reasons of keeping the dumper idle Shri Harnarayan reported to have misbehaved

insubordinately with him, abused him using filthy language and subsequently both of them indulged in physical fighting with each other. Department Enquiry was ordered to be made against both of them. While the enquiry was in progress, workers of one section in first shift on 9-5-93 staged stoppage of work from 8 AM without any notice or complying the provisions of the I.D. Act making demand that Shri Mohd. Syed Hussan should be dismissed from seervices with immediate effect. The management informed the workers that disciplinary action has already been initiated by serving chargesheet to both the workers who fought with each other, on receipt of complaints from both sides. The management further informed the workers that the Enquiry Officer has been appointed to conduct the enquiry. The workers have already been issued notice to appear before the Enquiry Officer who has been directed to conduct a fact finding enquiry. On receipt of the enquiry report suitable action will be taken against the guilty in accordance with law. The management appealed to the leaders and their followers not to stop the work and requested them to perform their work. However 92 workmen of Dipika Project went on illegal strike on 9-5-93 violating the provisions of Section 22 of the I.D. Act. As the workers did not pay any heed to the request of the management, the Sub Area Manager immediately issued a letter to Shri K. K. Mishra, Secretary, MPCWF and Shri J. Yadav, Secretary, HMS requesting them to make it convenient to attend an urgent meeting in his office at 1.30 PM on 9-5-93. The Union representatives in the meeting assured their full cooperation to restore the work. However, except the followeers of NCWF, all other workers accepted the appeal of the management and their respective leaders. As the followers of the NCWF did not listen to the appeal of the management, the management issued appeal in writing on 9-5-93. The management repeated the appeals but inspite of repeated appeals, the workers who are the followers of NCWF went on illegal strike. As a result of the illegal strike, wages for 8 days of 92 workers who were on illegal strike was deducted. The workemen are not entitled to any relief whatsoever.

4. Vide order dated 16-7-07, the reference proceeded exparte against the workmen/Union.

5. The management filed affidavit of Shri B. N. Jha, then working as Dy. General Manager, Dipika Expansion Project in SECL, Dipika area as exparte evidence.

6. I have heard Shri A. K. shashi, Advocate for the management and perused the evidence on record.

7. The case of the management is fully established and proved from the uncontrovered and unchallenged affidavit of their witness Shri B. N. Jha.

8. The reference is, therefore, decided in favour of the management and against the workmen without any orders as to costs holding that the action of management

of Dipika Project of S. E. C. Ltd., Bilaspur is justified in their proposal dated 11-5-93 to deduct 8 days wages from workers who are alleged to be on strike on 9-5-93. Consequently the workman is not entitled any relief.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 31 जुलाई, 2008

का.आ. 2396.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 248/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2008 को प्राप्त हुआ था।

[सं. एल-22012/369/1998-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2396.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 248/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 31-07-2008.

[No. L-22012/369/1998-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/248/99

Presiding Officer : Shri C. M. SINGH

M. P. Koyla Shramik Sangh (CITU),
Bankimongra,
Distt. Korba (MP)
Workman/Union : The Working President,

Versus

Management : The Sub Area Manager,
SECL Surakachar Colliery,
P.O. Bankimongra
Distt. Korba (MP),

AWARD

Passed on this 14th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/369/98/IR (CM-II) dated 7-7-99 has referred the following dispute for adjudication by this tribunal :—

“Whether the demand of the Union requesting the management of SECL, Surakachar Colliery, Distt. Korba (MP) to correct the date of birth or recommend the case to the Age Determination Committee. Medical Board in respect of Sh. Mittu Ram S/o Sh. Ramadhin Ex. Mechanical Fitter is justified ? If not, to what relief is the workman entitled ?”

2. The case of workman Shri Mittu Ram/Union in brief is as follows. That in the service record, workman Shri Mitturam's date of birth is shown as 1st January 1937. The service record was provided to the workman of the colliery and workman Shri Mitturam on 3-8-87 took an objection regarding wrong recording of his date of birth in his service record but no action was taken by the management. That under the statutory provisions, the Provident Fund record of the workmen of the colliery is being kept with Regional Commissioner, Coal Mines Provident Fund, Bilaspur (MP). The said Commissioner wrote a letter to the Mines Manager, Surakachar colliery on 26-3-97 informing that as per record of CMPF, the workman Shri Mitturam whose date of birth is mentioned as 2-6-1948. Thus the correct date of birth in record of the CMPF is 2-6-1948. The employer had adopted Implementation Instruction No. 76 for the purpose of determination of correct date of birth of the workman. It is stipulated therein that the workman's date of birth is varying in the service record, identity card or in the records of CMPF. The matter should be referred to an Age Determination Committee/Apex Medical Board for determination of correct date of birth by applying the principles of medical jurisprudence. No action has been taken and therefore the present dispute.

3. The management's case in brief is as follows. The workman was initially appointed as mazdoor Category-I w.e.f. 1-1-1965. In Form -B register, the date of birth of the workman is recorded as 1-1-1937. After coming into force NCWA-III and in modification of implementation Instruction (II) No. 37, JBCC1 issued 1.1. No. 76. The earlier 1.1.No. 37 dated 5-2-81 has been revised. Under the aforesaid implementation Instruction, Age Determination Committee/Medical Board will be constituted for settlement of Age dispute. The Age Determination Committee will consider those cases wherever there is a variation in the age recorded in the records being maintained by the management. During the entire service period, the workman did not raise any objection against the entries regarding his date of birth recorded in the service record. On the

basis of date of birth recorded in various statutory records as 1-1-37, the workman was served with a retirement notice on attaining the age of superannuation. The date of birth of the workman is 1-1-1937 and not 2-6-1948 as claimed by him. That the retirement age in the coal industry is 60 years. The workman was retired on attaining the age of 60 years of superannuation w.e.f. 1-1-1997 which is legal, proper and justified.

4. Vide order datd 1-8-07 passed on the ordersheet of this reference proceeding, the reference proceeded exparte against the workman/Union.

5. The management in order to prove their case filed affidavit of their witness Shri K. Suresh, then working as Sr. Personnel Officer at Surakachhar colliery of Korba Area.

6. I have heard Shri A. K. Shashi, Advocate for the management. I have very carefully gone through the evidence on record.

7. The case of the management is fully established and proved from the uncontroverted and unchallenged affidavit of their witness Shri K. Suresh and therefore the reference deserves to be decided in favour of the management and against workman without any orders as to costs.

8. In view of the above, the reference is decided in favour of the management and against the Union without any orders as to costs holding that the demand of the Union requesting the management of SECL, Surakachhar Colliery, Distt. Korba (MP) to correct the date of birth or recommend the case to the Age Determination Committee/Medical Board in respect of Sh. Muttu Ram S/o Sh. Ramadhin Ex. Mechanical Fitter is not justified and consequently the workman is not entitled to any relief.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 31 जुलाई, 2008

का.आ. 2397.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 155/1992) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2008 को प्राप्त हुआ था।

[सं. एल-22012/56/1992-आई आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2397.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No.155/1992) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 31-07-2008.

[No. L-22012/56/1992-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/155/92

Presiding Officer : Shri C. M. SINGH

Workman/Union : The General Secretary,
Chhattisgarh Khadan Karkhana
Mazdoor Union,
Branch : Bankimogra,
PO : Bankimogra,
Distt. Bilaspur (MP)

Versus

Management : Sub Area Manager,
SECL Surakachhar Colliery,
P.O. : Bankimogra,
Distt. Bilaspur (MP),

AWARD

Passed on this 7th day of July, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/56/92/IR(C-II) dated 10-7-92 has referred the following dispute for adjudication by this tribunal :—

“Whether the management of Surakachhar Colliery, of South Eastern Coalfields Ltd., Bilaspur, is justified in refusing employment to the dependent of Late Bala Ram, Explosive Carrier ? If not, to what relief the dependent of Late Bala Ram is entitled ?”

2. The case of dependent of late Bala Ram/Chattisgarh Khadan Karkhana Mazdoor Union, Surakachhar, Bankimogra, PO, Bankimogra, Distt. Bilaspur (MP) in brief is as follows. That Banki and Surakachhar Collieries were companies of the National Development Corporation Companies Ltd., a Government of India undertaking. It has been customary in the aforesaid collieries to grant employment to a dependent of an employee who died while in service as happened in the case of the employees of Banki Colliery, Sarva Shri Kishori Pandit, K. C. Yadav, Khol Bahre, A. K. Bose, Mahilange & Kartik Ghosh who died on 11-12-1978 at Ratanpur in a road

accident while they were going on picnic, their widows sarva Smt. Munki Devi, Dhanno Devi, Silvari devi, Phulsari Devi, Kanchanbai and Bhano Devi were given employment on compassionate ground. On 24-7-1972, Shri Chauthram, Timber Helper died in an accident, his brother Nandi Dau was given employment on compassionate ground. In the year 1973, private colliery companies were nationalised and a new Coal India Ltd. and its subsidiary companies came into being. At that time, Banki and surakachhar collieries, Western Division were under Western Coal fields Ltd. and now they are under SECL. The aforesaid custom of granting employment to dependent of an employee who dies while in service or who is rendered medically unfit for service was incorporated in National Coal Wages Agreement No. II which came into effect w.e.f. 1-1-1979, so that all such dependents be treated equally without any discrimination. The dependents of those employees who died before 1-1-79 and could not by then be granted employment on compassionate ground, the custom of granting employment to them on compassionate ground remained continued as it was. In Banki and Surakachhar Collieries of the National Coal Development Corporation, retrenchment of female labourers Smt. Vidyawati etc. took place and till their reinstatement by way of settlement/award, only male labours were appointed on compassionate ground. As a result thereof, the children of deceased employees who were then minor and could not get benefit of compassionate appointment their claim remained intact as such. Shri Subaran Singh, Timber Mistry who died on 2-11-1974 and nine-ten other labours whose dependents were minor at the time of their death attained the age of minority in the year 1988-89-90 and applied for grant of employment on compassionate ground. Late Bala Ram, then explosive carrier died on 28-5-1976 in a mine accident. His widow Smt. Amalkunwar had moved an application for appointment of Shri Kanhaiya, S/o Late Bala Ram aged about 20 years to the management of colliery company. Shri Subran, employee died on 2-11-1974, his son Sahettar Singh was given employment on compassionate ground on 1-8-90 by the Manager Personnel, Korba (East). The management has given employment on compassionate ground to all the dependents of the employees who were minor at the time of death of the employees. Smt. Amalkunwar, widow of late Bala Ram through the Union moved application for grant of employment to Shri Kanhaiya, S/o Late Balaram on compassionate ground. The management rejected the said application on the ground that late Balaram died on 28-5-1976, claim for Shri Kanhaiyalal was made on 20-11-1990 and on that date of death of Balaram, there was no provision for granting employment to the dependents of the deceased employee. Like other dependents who were minor at the time of death of concerned employee, Shri Kanhaiyalal was also entitled to get employment on compassionate ground. The relief prayed is that the management be directed to grant employment to Shri Kanhaiyalal w.e.f. 10-7-92 with all

back wages along with costs.

3. The case of management in brief is as follows. The reference has been made at the instance of General Secretary, Chattisgarh Koyla Khadan Mazdoor Union (CKKMU). Late Shri Bala Ram was an employee of National Coal Development Corporation and expired as back as in the year 1976. When Late Bala Ram was in the employment, the Union namely CKKMU was not at all in existence and therefore Late Bala Ram could not be a member of the said Union. The Union cannot, therefore, raise dispute regarding the person who was not its member. The Union, therefore, does not have any locus-standi to raise this dispute. The dispute referred for adjudication is, therefore, liable to be rejected on this ground alone. Late Balaram expired on 28-5-1976. At the time when Late Bala Ram was working, there was no agreement, rule or regulation for grant of employment to the dependents. The provision for grant of employment to a dependent of an employee who dies while in service or who is rendered medically unfit in service was incorporated for the first time in the National Coal Wage Agreement No. II which came into force w.e.f. 1-1-1979. The provision for employment to a dependent was incorporated in the said agreement vide clause 10-4-1 of the agreement. In the instant case, the cause of action for claiming employment to dependent arose on 28-5-1976 when Shri Bala Ram expired. On that date, there was no provision under the service rules, regulation and conditions for grant of employment to the dependent Late Balaram. Smt. Amalkunwar, widow of late Balaram could claim for her employment only if there was any such provision. She never made any claim for grant of employment to her son. It was on 28-12-1990 that Shri Amalkunwar made a claim for getting employment for her son in place of her deceased husband. To grant employment to a dependent is not a legal right of any individual. It has also been pleaded by the management that the claim is barred by time.

4. It is the further case of the dependent of Late Shri Bala Ram/Union that CKKMU having Registration. No. 1557/12/Bi.San./73 has been representing labours of coal mines since 7th March, 1973. The aforesaid Union was competent to raise the present dispute.

5. The Union in order to prove its case examined Shri Kanhaiyalal, dependent of Late Balaram. Smt. Dhannodevi, Anjali Kumar Dwivedi and Shri B. Bannerjee, then posted as Office Suptd., Sub-Area Manager, Banki Colliery, Dist. Korba.

6. The management in order to defend that claim examined Shri Uday Kumar, then posted as Dy. P.M. of SECL, SRK Colliery of Korba Area, SECL.

7. Both the parties filed documents in support of their respective contentions. Those documents shall be referred in the body of this award at appropriate places.

8. Written argument filed by both the sides. I have heard Shri A. K. Shashi, Advocate for management. I have

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very carefully gone through the entire evidence on record and the written arguments filed by the parties.

9. It has been submitted by the learned counsel for the management that the Union can raise an industrial dispute in respect of their member only. That in the instant case, the Union has raised claim for employment to the dependent of Late Balarām who was employee of NCDC, who expired on 28-5-76 due to accident which took place on 11-5-76. That at the time the deceased was working, the Union namely CKKMU was not at all in existence and therefore late Balarām could not be a member of the said Union. He further added that the dependent of Balarām cannot be a member of the Union as he was not in employment and therefore the Union has no locus-standi to raise this dispute. Against the above, it has been averred in the rejoinder of the Union that CKKMU having registration No. 1557/12/Bi. San./73 has been representing the labours of Coal Mines since 7-3-1973 and the said Union is competent to raise the present dispute. Shri Anjali Kumar Dwivedi deposed that he is the Secretary of the Union CKKMU and the Union has raised the present dispute. The Union has filed the certified copy of list of its office bearers and the certificate mentioning therein that late Balarām was member of the Union. These papers reveal that the Registration No. of the Union is 1557/12/BSP/73. This documentary evidence along with the oral testimony given by Shri Anjali Kumar Dwivedi proves the fact that Late Shri Balarām was the member of CKKMU and therefore the Union is legally entitled to raise the dispute regarding the dependent of Late Balarām.

10. It has been averred in the statement of claim that it has been customary in the collieries of National Development Corporation Companies Ltd. to grant employment to the dependent of an employee who died while in service. That in the year 1973, Private colliery Companies were nationalized and a new Coal India Ltd. and its subsidiary companies came into being. That at that time, Banki and Surakachar Collieries, Western Division were under WCL and now they are under SECL. That the aforesaid custom of granting employment to dependent of an employee who dies while in service or who is rendered medically unfit for service was incorporated in National Coal Wages Agreement No. II which came into effect w.e.f. 1-1-1979. That the dependents of those employees who died before 1-1-1979 and could not by then be granted employment on compassionate ground, the custom of granting employment to them on compassionate ground remained continued. Against the above, it has been submitted by the learned counsel for the management that there was no rule in NCDC for providing employment to the dependents of employees who died during employment. He laid emphasis that only under clause 10.4.1 of National Wage Agreement-II dated 11-8-79, the provision was made to give employment w.e.f. 1-1-97 and the said rule is in operation w.e.f. 1-1-97 only. The learned counsel for the

management submitted that it was not customary in the collieries of National Development Companies Ltd. to grant employment to the dependent of an employee who died while in service. Shri Kanhaiyalal, the dependent of Late Shri Balarām has not stated a word regarding the alleged fact that there was prevailing a custom of granting employment to a dependent of employee who died while in service. Smt. Dhanno Devi has no doubt, stated in her affidavit that there has been custom of granting employment to a dependent of an employee who died while in service. Shri Anjali Kumar Dwivedi did not depose a word in his examination-in-chief regarding the said custom. Shri Uday Kumar, the management's witness stated in his affidavit that the provision of granting employment to a dependent who dies while in service or is rendered medically unfit for service was incorporated for the first time in the National Coal Wages Agreement No. II which came into force w.e.f. 1-1-97. He specifically stated that at the time when late Balarām was working, there was no agreement, rule or regulation for grant of employment to the dependents of the deceased employees who died while in service. Thus there has been evidence of one Union's witness namely Smt. Dhanno Devi that there had been custom of granting employment to a dependent of the deceased who died while in service. The said evidence of the witnesses is not enough to prove that there has been a custom of granting employment to a dependent of deceased worker who died while in service in the colliery of National Development Corporation Company Ltd.

11. It has been averred in the statement of claim for indicating that it was customary to grant employment to a dependent of the deceased employee while in service. That workers of Banki Colliery Sarva Shri Kishori Pandit, K. C. Yadav, Khol Bahre, A. K. Bose, Mahilange & Kartik Ghosh who died on 11-12-1978 at Ratanpur in a road accident, their widows Sarva Smt. Munki Devi, Dhanno Devi, Silvari Devi, Phulsari Devi, Kanchanbai and Bhano Devi were given appointment on compassionate ground. That similarly on 24-7-1972, Shri Chauthram, Timber helper died in an accident, his brother Nandi Dau was given employment on compassionate ground. Though the above averment has been made in the statement of claim but none of the Union's witnesses except Smt. Dhanno Devi deposed any evidence regarding the alleged prevailing custom. The management has filed photocopy of appointment orders dated 13-1-1982 of Smt. Dhanno Devi, widow of Late Mahilange, Smt. Munki Devi, widow of Late Kishori Pandit, Smt. Kanchan Bai, widow of Late Kol Behra, Shivani Ghosh, widow of Late Shri K.C. Ghosh and Smt. Phulsari Devi widow of late K. C. Yadav. These orders no doubt reveal that those orders were passed under the head "Dependent". It has come in the evidence of Smt. Dhanno Devi that on 11-12-1978 her husband and late Shri B. L. Mahilange, A. K. Bose etc. had gone on picnic at Hootaghat near Ratanpur with other

labours where they died in a Road Accident. It is clear from the above that the widows of Late Mahilange, Late Kishori Pandit, Late Khol Bahre, Late K. C. Ghosh & Late K. C. Yadav were given appointment on compassionate ground on the demise of their husbands who died on 11-12-1978 while working in coal company in a road accident. There is no evidence on record to prove that Chauthram, Timber Helper died in an accident and his brother Nandi Dau was given employment on compassionate ground. Thus the employees who died in a single road accident, their widows were given appointments on compassionate ground is not enough to prove that it was customary to grant employment to a dependent of the employee who died while in service.

12. It has also been averred in the statement of claim that worker late Subran died on 2-11-1974 and his son Sahettar Singh was given employment on compassionate ground on 1-8-90. Regarding Sahettar Singh, Shri Kanhaiyalal, dependent of late Balaram has only stated in his affidavit that he was granted employment on compassionate ground. No other witness of the Union has stated anything regarding Shri Sahettar Singh. The copy of appointment letter of Sahettar Singh is on record which has been filed by both the parties. It also reveals that he was granted employment under the head "dependent". His appointment letter is dated 1-8-90 whereas it is alleged in the statement of claim that his father late Shri Subran, an employee died on 2-11-1974.

13. Thus it is clear from the above that the widows of those employees who died in road accident on 11-12-1978 were given appointments vide appointment letter dated 13-1-1982. There is a copy of appeal made by widows Phulsari Devi, Kanchan Bai & Dhanno Devi making request for their appointment on compassionate ground due to demise of their husband in the road accident. This appeal is dated 1-11-1979. This copy of appeal indicates that they had made an application praying for their appointment on compassionate ground earlier i.e. their application for appointment was made earlier than 1-11-1979 and they were given appointment on 13-1-1982. These appointments were given to the widows of the deceased who died in a single road accident on 11-12-1978. It is concluded from the above that one Sahettar Singh, S/o Late Subran, Timber Mistry was given appointment vide appointment letter dated 1-8-1990. The appointment letter also reveals that he was given appointment on compassionate ground whereas his father Subran died while in service on 2-11-1974. This appears to be solitary case of giving appointment to a dependent of the deceased employee after about 15-16 years of his death. So far as the case of widows appointment Smt. Munki Devi, Dhanno Devi etc. is concerned, their husbands died in a single road accident on 11-12-1978 and they were given appointment on 13-1-1982 and had applied for the same much earlier than 1-11-1979. Only these two cases are not enough to prove

that it has been customary in the collieries of National Development Corporation Ltd. to grant employment to a dependent of an employee who died while in service.

14. It has been averred in the statement of claim that the dependent of those employees who died before 1-1-79 and could not by then be granted employment on compassionate ground, the custom of granting employment to them on compassionate ground remained continued as it was. There is no evidence either oral or documentary to prove the above averment except solitary case of Shri Sahettar whose father late Subran died on 2-11-1974 was granted employment on compassionate ground on 1-8-90. But this does not prove that the dependents of those employees who died before 1-1-1979 and could not by then be granted employment on compassionate ground, custom of granting employment to them on compassionate ground remained continued as it was.

15. It has been averred in the statement of claim that in Banki and Surakachhar Collieries of the National Coal Development Corporation, retrenchment of female labourers Smt. Vidyawati etc. took place and till their reinstatement by way of settlement/award, only male labours were appointed on compassionate ground and as a result thereof the children of the deceased employees who were then minor could not get benefit of compassionate appointment but their claim remained intact as such. There is no documentary or oral evidence for proving the above averment made in the statement of claim except the solitary case of Sahettar Singh as mentioned above.

16. It has been submitted by the learned counsel for the management that there was no rule in NCDC for providing employment to the dependent of the employees who die during employment. That under clause 10.4.1 of National Wages Agreement-II dated 11-8-1979, the provision was made to give such employment w.e.f. 1-1-1979 and the rule is in operation w.e.f. 1-1-1979 only. The management has filed the copy of National Coal Wage Agreement-II dated 11th August 1997. Clause 12.1.1 of the above agreement reveals that it came into force w.e.f. 1-1-1979. The management's witness Shri Uday Kumar, then working as Dy. P.M., at SECL, SRK Colliery of Korba Area also deposed that the provision for granting employment to a dependent who died while in service or is rendered medically unfit for service was incorporated for the first time in the National Coal Wages Agreement-II which came into force w.e.f. 1-1-1979. Regarding the case of late Balaram, this witness stated that he was an employee of NCDC Ltd. That he met with an accident on 14-5-1976. That at that time when Balaram was working there was no agreement, rule or regulation for grant of employment to dependents. That the claim of Smt. Amal Kunwar, widow of Late Balaram for grant of employment for his son Kanhaiya on compassionate ground in place of her

deceased husband was rejected for the above reason. It has been submitted by the learned counsel for the management that there was no provision for the employment of the dependent prior to 1-1-1979, therefore the case of Kanhaiya could not be considered.

17. It has also been submitted by the learned counsel for the management that assuming for the sake of argument only, even if a few persons have been provided employment contrary to the provisions of NCWA, such a mistake could not be considered as a precedent and the management should not be forced to continue to commit such mistake or to act contrary to the provisions. The above submission made by the learned counsel for the management has force.

18. The learned counsel for the management also submitted that the compassionate appointment cannot be claimed as a matter of right. He also submitted that in the case at hand, there has been a delay of more than 15 years in making claim. He also submitted that it has been held in AIR-1993-SC Pg. 2276 in the case of Ratan Chandra Samant and others versus Union of India that the delay itself deprives a person of his remedy available in law. He submitted that in this case, it is not disputed that late Shri Balaram expired on 28-5-1976 and the application claiming employment of Shri Kanhaiya on compassionate ground was moved on 20-2-90 which is highly belated. The reason of delay in moving the application has been averred in the statement of claim that on the death of Balaram, his son Kanhaiya was a minor and on attaining the age of about 20 years i.e. after attaining the age of majority, the claim of employment was made. The other averment made in the statement of claim for the delay is that in Banki and Surakachhar Collieries of the National Coal Development Corporation, retrenchment of female labourers Smt Vidyawati etc. took place and till their reinstatement by way of settlement/award, only male labours were appointed on compassionate ground and as a result thereof the children of the deceased employees who were then minor could not get benefit of compassionate appointment, their claim remained intact as such. There is no documentary evidence on record that retrenchment of female labours took place in Banki and Surakachhar Collieries of National Coal Development Corporation. Out of 4 witnesses examined by the Union, none of them stated a single word regarding alleged fact that in Banki and Surakachhar Colliery of National Coal Development Corporation, retrenchment of female labours ever took place. It is clear from the above that the widows of late Mahilange, Late Kishori Pandit, Late K. C. Yadav, Late Khot Bahre, Late A.K. Bose, & Late Kartik Ghosh were given appointment on compassionate grounds on the demise of their husbands who died on 11-12-1978 in a road accident and were employees of coal company. Shri Balaram, employee of the colliery died on 28-5-1976. It is not disputed that at that time, his son

Kanhaiya was minor. Had his widow applied for the appointment on compassionate ground naturally he would have been given appointment like widows of other labours who died in accident. But it is clear from the evidence of Kanhaiya that his mother did not apply for getting employment on compassionate ground on the demise of his father Balaram. It has been held in 1996 (1) LLJ-pg. 1127 in the case of Union of India and others versus Bhagwan Singh that the Respondent/applicant a minor at the time of the employee's death in 1972. Tribunal directed consideration of the respondent's application rejected by the employer by its orders in 1987, 1990 and 1991. That the employee had left behind beside the respondent two major sons and his wife also. Therefore the plea of the respondent for compassionate employment was not accepted and the tribunal's order was set-aside. In this case too, wife of the deceased Balaram could apply for appointment on compassionate ground on his death but she did not. Therefore the claim of her son Kanhaiya on attaining the age of majority after about 14 years of demise of his father Balaram cannot be considered.

19. Having considered the evidence on record, under the circumstances, I am of the view that the management's action in refusing employment to the dependents of late Balaram Explosive Carrier is justified. Consequently the reference is decided in favour of the management and against the Union without any orders as to costs holding that the management of Surakachhar Colliery of South Eastern Coalfields Ltd., Bilaspur, is justified in refusing employment to the dependent of Late Balaram, Explosive Carrier. Consequently the dependent of Late Balaram is not entitled to any relief.

20. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 31 जुलाई, 2008

का. आ. 2398.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 98/2005; 97/2005; 89/2005; 99/2005; 93/2005; 91/2005; 95/2005 & 92/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-7-08 को प्राप्त हुआ था।

[सं. एल-42012/225/2004-आई आर (सीएम-II)]

सं. एल-42012/228/2004-आई आर (सीएम-II)

सं. एल-42012/223/2004-आई आर (सीएम-II)

सं. एल-42012/231/2004-आई आर (सीएम-II)

सं. एल-42012/226/2004-आई आर (सीएम-II)

सं. एल-42012/233/2004-आई आर (सीएम-II)
 सं. एल-42012/243/2004-आई आर (सीएम-II)
 सं. एल-42012/234/2004-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 31st July, 2008

S.O. 2398.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref.No.98/2005; 97/2005; 89/2005; 99/2005; 93/2005; 91/2005; 95/2005 & 92/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of CPWD and their workman, which was received by the Central Government on 31-07-2008.

[No. L-42012/225/2004-IR(CM-II)]
 No. L-42012/228/2004-IR(CM-II)
 No. L-42012/223/2004-IR(CM-II)
 No. L-42012/231/2004-IR(CM-II)
 No. L-42012/226/2004-IR(CM-II)
 No. L-42012/233/2004-IR(CM-II)
 No. L-42012/243/2004-IR(CM-II)
 No. L-42012/234/2004-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II, NEW DELHI

Presiding Officer: R.N. Rai. I.D. No. 98/05, 97/05,
 89/05, 99/05, 93/05,
 91/05, 95/05 & 92/05

In the matter of:—

Shri Lekh Ram & 7 Ors;
 C/o. Ravi Shankar,
 Secretary Workers' Union,
 167, Panchkuian Road,
 New Delhi-110001.

VERSUS

The Director General,
 CPWD,
 Nirman Bhawan,
 New Delhi-110001.

The Executive Engineer (Elect.)
 Electric Construction Division-II,
 Mausam Bhawan,
 New Delhi.

AWARD

The Ministry of Labour by its letter Nos. L-42012/225/2004-IR(CM-II) Central Government dated 09-08-2005, L-42012/228/2004-IR (CM-II) Central Government dated

09-08-2005, L-42012/223/2004-IR(CM-II) Central Government dated 09-08-2005, L-42012/231/2004-IR(CM-II) Central Government dated. 09-08-2005, L-42012/226/2004-IR (CM-II) Central Government dated. 09-08-2005, L-42012/233/2004-IR (CM-II) Central Government dated. 09-08-2005, L-42012/243/2004-IR (CM-II) Central Government dated 09-08-2005. & L-42012/234/2004-IR (CM-II) Central Government dated 09-08-2005 has referred the following point for adjudication.

The point run as hereunder:—

“Whether the demand of the workers’ union for regularization of workman Sh. Lekh Ram, S/o Sh. Mangat Ram in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Pawan Kumar, S/o Sh. Babu Ram in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Ram Singh, S/o Sh. Kalwa Singh in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Jagdish Singh, S/o Sh. Raj Pal Singh in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Ved Prakash, S/o Sh. Chhote Lal in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Shankar Singh, S/o Sh. Sita Ram in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Duryodhan Singh, S/o Sh. Chander Singh in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

“Whether the demand of the workers’ union for regularization of workman Sh. Gaya Prasad, S/o Sh. Chhote Lal in the establishment of CPWD is legal and justified? If Yes, to what relief the workman is entitled and from which date?”

I.D. Nos. 98/05, 97/05, 89/05, 99/05, 93/05, 91/05, 95/05 & 92/05 involve common dispute. These are connected cases and may be adjudicated by common award. The

grounds of all the cases mentioned above are the same. There is only variance in date of engagement and disengagement. So all the above mentioned cases are taken up together.

The workmen-applicants have filed claim statement. In the claim statement they have stated that they are in the employment of M/s. CPWD since 01-03-1989 working as D.G. Set Operator and their present wage is Rs. 3,091 per month. At present the workmen are working for CPWD at its Electrical Construction Division, Mausam Bhawan, New Delhi-110003. That since the time of joining the employment of the department, the workmen are performing their duties most sincerely, honestly and diligently without any chance of complaint to their superiors. Their records of service are clean and without any blemish.

That the workmen were being employed through the officers of the department and all their service conditions are governed by the CPWD Manual. The wages and other monetary benefits are being paid by the department through sanctioned funds i.e. budget allocations made by the department as per the sanctioned pre-estimated allocations.

That it is pertinent to mention here that somehow the department clandestinely and without the knowledge of the workmen brought the workmen under a sham contractor who exists only on papers. No prior notice as stipulated under the provisions of Section 9 of the ID Act, 1947 was ever given to the workmen by the department before bringing them and under the said contractor and making them a contract labourer/worker. That the work being performed by the workmen is of perennial nature, which is incidental to the main activity of the department and is usually being performed by the permanent full time regular workers.

That the workmen are entitled to get regularization in their services along with wages at par with their regular counterparts at the minimum for the corresponding pay scales prevailing in the department from time to time with continuity of service with retrospective effect i.e. from the date of joining the employment.

The management has filed counter affidavit to the statement of claim filed by the workmen. In reply it has been stated that the dispute has not been properly espoused by the alleged workmen and the claim of the alleged workmen is devoid of any merits.

That the alleged workmen are not the employees/workmen of the management of CPWD herein and as such, the present industrial dispute is not maintainable in the absence of the direct master-servant relationship between the parties.

That the alleged workmen have neither been appointed by the CPWD nor they have been paid anything by the CPWD and as such, there is no direct master-servant relationship between the parties. The alleged workmen are the employees of the contractor and not of the CPWD.

However, the contractor has not been impleaded as a party by the alleged workmen and as such, the present case is not maintainable.

In fact the alleged workmen were neither employed by the CPWD nor they were under the direct control and supervision of the department as alleged. The alleged workmen were engaged by the private contractors and they controlled, commanded and paid the alleged workmen. The CPWD has been awarding the contracts to the contractors on work basis which is not perennial in nature. The contractors appoint their own workmen to complete the contract and CPWD has no control over the employees of the contractors, however, the contractor is answerable to CPWD, in terms of the contract. It is for the contractor to say as to whether the alleged workmen have been performing their duties sincerely, honestly or diligently or not, as it is for the contractor to reply. The CPWD cannot give any reply to this averment, as the alleged workmen are not working under the control of the CPWD. As such, all the allegations of the alleged workmen are wrong and denied, being without any basis.

That the CPWD secures expenditure sanction on yearly basis from the M/o. Defence for the Sena Bhawan Works and not through the sanctioned funds i.e. budget allocations made by the department as the sanctioned predestinated allocations as mentioned in the para. further insofar as wages of the alleged workmen are concerned they are employed directly by the contractor, the same are paid/being paid directly by the contractor, to his labourers/workmen and the CPWD had no control in the matter and as such, the alleged workmen are in the control and supervision of the contractor.

That insofar as appointment letter, wages slip, confirmatory letter and wages scale concerned, it may be pertinent to mention here that the alleged workmen herein are not on the roll of CPWD. Hence questions of issuance of appointment letter, wages slip, and confirmatory letters do not arise. The CPWD had no concern whatsoever with the alleged workmen. If the alleged workmen had any complaint regarding non-payment of wages or anything else, they should approach the contractor and then they may approach CPWD and, thereafter, CPWD will take action against the contractor as per the terms of the contract. So far no such complaint has been received in the CPWD office.

That it is denied that somehow the department clandestinely and without the knowledge of the workman brought the workmen under a sham contractor who exists only on papers. The alleged workmen have been the employee of the contractor from the date of their appointment and they were neither appointed by the CPWD at any point of time. As such, there is no change in terms and conditions as alleged by the workmen, for which any notice under section 9 of the ID Act, 1947 is required. The work performed by the contractor and his employees is not

of perennial in nature and the same is temporary subject to the requirement of the various departments, for which full time regular workers are not required. For regular work CPWD has his own regular employees.

That in view of the above reply, the alleged workmen are not entitled to any relief and the present case is liable to be dismissed being devoid of any merits. It is, therefore, most humbly prayed that in the interest of justice, this Hon'ble Court may kindly be pleased to dismiss the present case with costs in favour of CPWD.

The workmen applicants have filed rejoinder. In the rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

It becomes quite abovious from perusal of the order-sheet that the case was posted on 18-06-2008 for the evidence of the management. Last opportunity was given on the previous date. The management did not turn up. The opportunity of adducing evidence was closed. The Advocate of the workmen was not present for argument. Seven days time was given. None turned up even today. The award is given after perusal of the entire record on merits.

The case of the workmen is that they were in the employment of M/s. CPWD since 01-03-1989 working as D.G. Set Operator and their present wages is Rs. 3,091 per month. At present the workmen are working for CPWD at its Electrical Construction Division, Mausam Bhawan, New Delhi-110003. That since the time of joining the employment of the department, the workmen are performing their duties most sincerely, honestly and deligently without any chance of complaint to their superiors. Their records of service are clean and without any blemish.

That the workmen were being employed through the officers of the department and all their service conditions are governed by the CPWD Manual. The wages and other monitory benefits are being paid by the department through sanctioned funds i.e. budget allocations made by the department as per the sanctioned pre-estimated allocations.

That is is pertinent to mention here that somehow the department clandestinely and without the knowledge of the workmen brought the workmen under a sham contractor who exists only on papers.

It was further submitted that the work being performed by the workmen is of perennial nature, which is incidental to the main activity of the department and is usually being performed by the permanent full time regular workers.

That the workmen are entitled to get regularization in their services along with wages at par with their regular counterparts at the minimum for the corresponding pay scales prevailing in the department from time to time with continuity of service with retrospective effect i.e. from the date of joining the employment.

The case of the management is that the alleged workmen are not the employee/workmen of the management of CPWD herein and as such, the present industrial dispute is not maintainable in the absence of the direct master-servant relationship between the parties.

That the alleged workmen have neither been appointed by the CPWD nor they have been paid anything by the CPWD and as such, there is no direct master-servant relationship between the parties.

It was further submitted that the CPWD secures expenditure sanctioned on yearly basis from the M/o. Defence for the Sena Bhawan Works and not through the sanctioned funds i.e. budget allocations made by the department as the sanctioned predestinated allocations. Further in so far as wages of the alleged workmen are concerned they are employed directly by the contractor, the same are paid/being paid directly by the contractor to his labours/workmen and the CPWD had no control in the matter and as such, the alleged workmen are in the control and supervision of the contractor.

The substantial question to be decided in this case is whether the workmen worked under the control and supervision of the management and whether the contract is sham.

The workmen have filed Identity Cards and Log Books. Photocopy of Identity Cards and Log Books no doubt prove that the workmen have been working for 10-12 years regularly.

The workmen have filed affidavit that they worked under the control and supervision of the management. No document regarding assignment of duties has been filed by the workmen. They have simply asserted in the affidavit that they worked under the control and supervision of the management. Two workmen examined themselves. Sh. Lekh Ram has stated in his cross-examination as under:—

"I do not have any proof of my appointment on muster roll in the year 1989 I am not aware whether I was employed by the CPWD. I am not aware that I was under the control and supervision of the department. I am not aware whether I was working under the private contractor. Earlier I was paid the amount of my work by JE. After that the amount was paid by the contractor. Contractor paid me from 1998."

The workmen have examined Sh. Shankar Singh. He has also stated as under:—

"I am not aware whether I was working under the private contractor. That it came in my knowledge in 1998 that I am working under the private contractor."

From perusal of the evidence of these two witnesses it becomes quite obvious that they are not aware whether they worked under the control and supervision of the department. Payment to them is being made by the contractor.

The case of the management is that the workman worked under the control and supervision of the contractor. Payment to them is being made by the contractor. The management awarded contract for operation of the Generators to contractors and they appointed the workmen for operation of the contract work. Expenditure is sanctioned on yearly basis from the M/o. Defence for Sena Bhawan works and not through the sanctioned funds.

The CPWD discharges the function of operation of Generators of Sena Bhawan on consolidated amount sanctioned to it. All the workmen operated Generators in Sena Bhawan. Payment to them is made out of the sanctioned funds by the M/o. Defence as such the work performed by the workmen is not a regular nature of work of the CPWD. The CPWD undertakes to operate the Generators and appoints contractors for operation of Generators. As such the work is not of regular nature. The M/o. Defence may stop operation of Generators.

It is settled law that in order to become an employee of the Principal Employer, the workmen must work under the control and supervision of the management. The management must have control over the workmen. In the instant case the workmen have not filed any document that work is assigned to them by the management and they work directly under the control and supervision of the management.

In Pollock Law of Torts a servant and an independent contractor has been defined as under:—

The distinction between a servant and a independent contractor has been the subject matter of a large volume of case-law from which the text-book writers on torts have attempted to lay down some general tests. For example, in Pollock's Law of Torts, (Pages 62 & 63 of Pollock of Torts, 15th Edn.) the distinction has thus been brought out;

"A master is one who not only prescribes to the workman the end of his work, but directs or at any moment may direct the means also, or, as it has been put, retains the power of controlling the work, a servant is a person subject to the command of his master as to the manner in which he shall do his work An independent contractor is one who undertakes to produce a given result but so that in the actual execution of the work is not under the order or control of the person for whom he does it, and may use his own discretion in things not specified beforehand....."

In Salmond's Treatise on the Law of Torts the distinction between a servant and independent contractor has been indicated as under:—

"What then, is the test of this distinction between a servant and an independent contractor? The test is the existence of a right of control over the agent in respect of the manner in which his work is to be done. A servant is an agent who works under the

supervision and direction of his employer; an independent contractor is one who is his own master. A servant is a person engaged to obey his employer's orders from time to time; an independent contractor is a person engaged to do certain work, but to exercise his own discretion as to the mode and time of doing it—he is bound by his contract, but not by his employer's orders."

For relation of employer and employee it is necessary that the workmen performed work under the guidance and control of the management. The management decides what is to be done and how it is to be done.

In the instant case the workmen have not filed any documentary evidence to substantiate their claim of working under the control and supervision of the management rather they have admitted that they are not aware whether they worked under the control and supervision of the management. So the workmen have failed to establish employer-employee relationship, control and supervision. In the circumstances the contract is not sham and the workmen are not the employee of the management. They are not working at any sanctioned posts.

The reference is replied thus:—

The demand of the worker's union for regularization of workmen S/Sh. Lekh Ram, S/o. S/Sh. Mangat Ram, Pawan Kumar, S/o. Babu Ram, Ram Singh, S/o. Kalwa Singh, Jagdish Singh, S/o. Raj Pal Singh, Vcd Prakash, S/o. Chote Lal, Shankar Singh, S/o. Sita Ram, Duryodhan Singh, S/o. Chander Singh & Sh. Gaya Prasad, S/o. Sh. Chote Lal in the establishment of CPWD is neither legal nor justified. The workmen applicants are not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 11-07-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 8 अगस्त, 2008

का. आ. 2399.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 सितम्बर, 2008 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध कर्नाटक के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

क्र. राजस्व ग्राम का नाम होबली तालुक जिला
सं. व नगर पालिका सीमाएँ

1. देवनागोती अनुगोंडाहल्ली होसकोटे बैंगलूर ग्रामीण

[एस-38013/36/08-एस.एस. 1]

एस. दो. जेवियर, अवर सचिव

New Delhi, the 8th August, 2008

S.O. 2399.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2008 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka namely :—

| Sl. No. | Name of the Revenue Village of Municipal Limits | Hobli | Taluk | District |
|---------|---|----------------|---------|-----------------|
| 1. | Devana-gonthi | Anugonda Halli | Hoskote | Bangalore Rural |

[No. S-38013/36/2008-S.S.I.]

S. D. XAVIER, Under Secy.

नई दिल्ली, 8 अगस्त, 2008

का. आ. 2400.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 सितम्बर, 2008 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध असम राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

कामरूप जिले में दक्षिण रानी मौजा के अंतर्गत आने वाले क्षेत्र के साथ राजस्व गाँव-बहुपारा, अंधेरीजुली, रंगापारा, हातीमुरा, कचारी अलीबारी, बाटाबारी, खेनालीबारी, नरगाँव और भोलागाँव के अंतर्गत मोईरापुर गाँव।

[सं. एस-38013/37/08-एस.एस.-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 8th August, 2008

S.O. 2400.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2008 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Assam namely :—

"Areas under Rani falls within Rani including Revenue Villages-Bahupara, Andherijuli, Rangapara, hatimula, Kachari Allibari, Batabari, Khenalibari,

Nargaon, Moirapur under Dakshin Rani and Bholagaon Mouza in the Distt. of Kamrup."

[No. S-38013/37/2008-S.S.I.]

S. D. XAVIER, Under Secy.

नई दिल्ली, 11 अगस्त, 2008

का. आ. 2401.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 सितम्बर, 2008 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

| क्र. | राजस्व ग्राम | हदबस्त संख्या | तहसील | जिला |
|------|--------------|---------------|---------|---------|
| सं. | का नाम | | | |
| 1. | बनूड़ | 280 | राजपुरा | पटियाला |
| 2. | नन्दिवाली | 279 | राजपुरा | पटियाला |

[सं. एस-38013/38/2008-एस.एस.-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 11th August, 2008

S.O. 2401.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2008 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

| Sl. No. | Name of the Village | Had Bast No. | Tehsil | District |
|---------|---------------------|--------------|---------|----------|
| 1. | Banur | 280 | Rajpura | Patiala |
| 2. | Nandiali | 279 | Rajpura | Patiala |

[No. S-38013/38/2008-S.S.I.]

S. D. XAVIER, Under Secy.

नई दिल्ली, 13 अगस्त, 2008

का. आ. 2402.—केन्द्र सरकार, समान पारिश्रमिक अधिनियम, 1976 (1976 का 25) की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, श्रम और रोजगार मंत्रालय की दिनांक 15 नवम्बर, 2007 की अधिसूचना का. आ. 3453 (भारत के राजपत्र, भाग-II, खंड-3, उप-खंड (ii) में 8 दिसम्बर, 2007 को प्रकाशित) में आंशिक संशोधन करते हुए एतद्वारा श्रीमती वैजयंती पंडित (सलाहकार समिति की क्रम संख्या 11) के

स्थान पर सुश्री किरण नंदा, निदेशक, आर्थिक अनुसंधान एवं प्रशिक्षण संस्थान, आई एम सी इंडियन मर्चेन्ट्स चेम्बर, आई एम सी बिल्डिंग, आई एम सी मार्ग, चर्च गेट, मुम्बई-400020 का नाम प्रतिस्थापित करती है।

[सं. ए-42011/25/97-सी एण्ड डब्ल्यू एल-II]

एस. आर. जोशी, निदेशक

New Delhi, the 13th August, 2008.

S.O.2402.—In exercise of the powers conferred by sub-section (1) of the Section 6 of the Equal Remuneration Act, 1976 (25 of 1976) and in partial modification of

Notification of the Government of India, Ministry of Labour & Employment S.O. 3453 dated 15th November, 2007 (Published in the Gazette of India, Part-II, Section-3, Sub-Section (ii) on 8th December 2007), the Central Government hereby substitutes the name of Ms. Kiran Nanda, Director, Economic Research and Training Foundation, IMC Indian Merchants' Chamber, IMC Building, IMC Marg, Churchgate, Mumbai-400020 in place of Mrs. Vaijyanti Pandit (Sl. No. 11 of the Advisory Committee).

[No. A-42011/25/97-C&WL-II]

S. R. JOSHI, Director